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Editor's Note: The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are as follows:

April	19, 1996 - Issue 16: Through	March	31, 1996
July	19, 1996 - Issue 29: Through	June	30, 1996
October	18, 1996 - Issue 42: Through	September	30, 1996
January	17, 1997 - Issue 3: Through	December	31, 1996 (Annual)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Pay Plan

2) Code Citation: 80 Ill. Adm. Code 310

3) Section Numbers: Proposed Action:
310-230 Amended

4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

5) A Complete Description of the Subjects and Issues Involved:

In Section 310.230, Part-time Daily or Hourly Special Services Rate, the hourly and daily rate changes pertain to the Fair Labor Standards Act minimum wage increase (\$4.75 per hour) that became effective October 1, 1996.

The minimum wage for the following titles are being upgraded to \$4.75 per hour and/or \$8.00 per hour: Building/Grounds Laborer, Building/Grounds Lead, Cleaning/Chasing, Conservation/Historic Preservation Workers, Educational Aide, Janitor I, Labor Relations Investigator, Laborer (Maintenance), Maintenance Worker, Psychologist I, Recreation Worker, Social Workers II and III, and Student Worker.

The rates for the past fiscal year are being deleted for the titles of Office Aide, Office Assistant, Office Associate and Office Clerk since these rates are now obsolete.

6) Will this Proposed rule replace an emergency rule currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these Proposed amendments contain any incorporations by reference? No

9) Are there any Proposed amendments pending to this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
310-100	Amended	20 Ill. Reg. 13102 (October 11, 1996)
310-210	Amended	20 Ill. Reg. 13102 (October 11, 1996)
310-240	Amended	20 Ill. Reg. 13102 (October 11, 1996)
310-290	Amended	20 Ill. Reg. 13102 (October 11, 1996)
310- App. A	Amended	20 Ill. Reg. 13102 (October 11, 1996)
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310- App. A	Amended	20 Ill. Reg. 13102 (October 11, 1996)
Table J		

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

10) Statement of Statewide Objectives: These amendments to the Pay Plan pertain only to State employees subject to the Personnel Code and do not set out any guidelines that are to be followed by local or other jurisdictional bodies within the State.

11) Time, Place, and Manner in which interested persons may comment on this Proposed rulemaking:

Mr. Michael Murphy
Department of Central Management Services
Division of Technical Services
504 William C. Stegerson Building
Springfield, IL 62766
(217) 782-5601

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not-for-profit corporations affected: None. The Department of Central Management Services' Pay Plan extends only to Personnel Code employees under the jurisdiction of the Governor.

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: These rules were not included on either of the 2 most recent agendas because: The proposed amendments were not summarized in any Regulatory Agenda because they were not known at the time.

The full text of the Proposed Amendment(s) begins on the next page:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
 SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
 POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
 PAY PLAN

SUBPART A: NARRATIVE

Section 310.20 Policy and Responsibilities
 310.30 Jurisdiction
 310.40 Pay Schedules
 310.50 Definitions
 310.60 Conversion of Base Salary to Pay Period Units
 310.70 Conversion of Base Salary to Daily or Hourly Equivalents
 310.80 Increases in Pay
 310.90 Decreases in Pay
 310.100 Other Pay Provisions
 310.110 Implementation of Pay Plan Changes for Fiscal Year 1997
 310.120 Interpretation and Application of Pay Plan
 310.130 Effective Date
 310.140 Reinstitution of Within Grade Salary Increases
 310.150 Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (repealed)

SUBPART B: SCHEDULE OF RATES

Section 310.205 Introduction
 310.210 Prevailing Rate
 310.220 Negotiated Rate
 310.230 Part-Time Daily or Hourly Special Services Rate
 310.240 Hourly Rate
 310.250 Member, Patient and Inmate Rate
 310.260 Trainee Rate
 310.270 Legislated and Contracted Rate
 310.280 Designated Rate
 310.290 Out-of-State or Foreign Service Rate
 310.300 Educator Schedule for RC-063 and HR-010
 310.310 Physician Specialist Rate
 310.320 Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
 310.330 Excused Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

Section 310.340 Jurisdiction
 310.350 Objectives
 310.430 Responsibilities
 310.440 Merit Compensation Salary Schedule
 310.450 Procedures for Determining Annual Merit Increases
 310.455 Intermittent Merit Increase
 310.456 Merit Zone
 310.460 Other Pay Increases
 310.470 Adjustment
 310.480 Decreases in Pay
 310.490 Other Pay Provisions
 310.495 Broad-Band Pay Range Classes
 310.500 Definitions
 310.510 Conversion of Base Salary to Pay Period Units
 310.520 Conversion of Base Salary to Daily or Hourly Equivalents
 310.530 Implementation
 310.540 Annual Merit Increase Guidechart for Fiscal Year 1995
 310.550 Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

APPENDIX A

TABLE A Negotiated Rates of Pay
 HR-190 (Department of Central Management Services - State of Illinois Building, SEIU)
 NR-916 (Department of Natural Resources, Teamsters)
 HR-200 (Department of Labor - Chicago, Illinois - SEIU)
 RC-069 (Firefighters, AFSCME)
 HR-001 (Teamsters Local #726)
 RC-020 (Teamsters Local #330)
 RC-019 (Teamsters Local #25)
 RC-045 (Automotive Mechanics, IFPE)
 RC-006 (Corrections Employees, AFSCME)
 RC-009 (Institutional Employees, AFSCME)
 RC-014 (Clerical Employees, AFSCME)
 RC-023 (Registered Nurses, INA)
 RC-008 (Boilermakers)
 RC-110 (Conservation Police Lodge)
 RC-010 (Professional Legal Unit, AFSCME)
 RC-028 (Paraprofessional Human Services Employees, AFSCME)
 RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
 RC-003 (Meat Inspectors, IFPE)
 RC-012 (Residual Maintenance Workers, AFSCME)
 HR-013 (Employment Practices Employees, SEIU)
 HR-010 (Teachers of Deaf, IFPE)
 HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
 CU-500 (Corrections, Meet and Confer Employees)
 RC-062 (Technical Employees, AFSCME)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
APPENDIX A	Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 1997
APPENDIX B	Medical Administrator Rates for Fiscal Year 1995
APPENDIX C	Merit Compensation System Salary Schedule for Fiscal Year 1995
APPENDIX D	Teaching Salary Schedule (Repealed)
APPENDIX E	Research and Scientific Specialist Salary Schedule (Repealed)
APPENDIX F	Broad-Band Pay Range Classes Salary Schedule
APPENDIX G	

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1987; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1319, effective February 22, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1312, effective March 15, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 3125, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 13675, effective July 31, 1986; emergency amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 19132, effective October 28, 1986; emergency amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 646, effective December 22, 1986; emergency amendment at 11 Ill. Reg.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

3363, effective February 3, 1987; emergency amendment at 11 Ill. Reg. 4388, effective February 27, 1987; emergency amendment at 11 Ill. Reg. 4291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; emergency amendment at 11 Ill. Reg. 15273, effective September 1, 1987; emergency amendment at 11 Ill. Reg. 17919, effective October 19, 1987; emergency amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; emergency amendment at 12 Ill. Reg. 3811, effective January 27, 1988; emergency amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988; for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 8135, effective April 22, 1988; emergency amendment at 12 Ill. Reg. 8435, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective May 24, 1988; emergency amendment at 12 Ill. Reg. 11788, effective May 24, 1988; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 13306, effective July 27, 1988, for 150 days; emergency amendment at 12 Ill. Reg. 13359, amended at 12 Ill. Reg. 14630, effective September 5, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; emergency amendment at 12 Ill. Reg. 20584, effective November 28, 1988; emergency amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; emergency amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14561, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15370, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 16991, effective September 18, 1990; amended at 14 Ill. Reg. 17098, effective October 1, 1990; amended at 14 Ill. Reg. 17189, effective October 1, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; emergency amendment at 14 Ill. Reg. 18854, effective November 13, 1990; emergency amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
NOTICE OF PROPOSED AMENDMENT

1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991; amended at 16 Ill. Reg. 711, effective December 26, 1991; amended at 16 Ill. Reg. 7056, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14552, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22314, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 3146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9542, effective March 21, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; peremptory amendment at 18 Ill. Reg. 14177, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27,

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
NOTICE OF PROPOSED AMENDMENT

1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991; amended at 16 Ill. Reg. 711, effective December 26, 1991; amended at 16 Ill. Reg. 7056, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14552, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22314, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 3146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9542, effective March 21, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; peremptory amendment at 18 Ill. Reg. 14177, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27,

SUBPART B: SCHEDULE OF RATES

Section 310-230 Part-Time Daily or Hourly Special Services Rate

The rate of pay as approved by the Director of Central Management Services for persons employed on a consultative or part-time basis requiring irregular hours of work shall be as listed below, except that the monthly rate of an employee in any given month shall not exceed the monthly rate of Step 5 of the salary grade for the employee's position. The rate of pay for positions in the Schedule of Salary Grades (Appendix B) of this Pay Plan is subject to the Schedule of Salary Grades, or Step 5 of the negotiated salary range for classes of positions shown in Section 310-220 Subpart B, Schedule of Rates, or 75% of the maximum rate of those classes of positions subject to the provisions of the Merit Compensation System, Subpart C of this Pay Plan.

Account Technician II	11.00 to 14.08 (hourly)
Applary Inspector	83 to 106 (daily)
Building/Grounds Laborer	32 to 50 (daily)
Building/Grounds Lead I	4.75 +.85 to 6.00 (hourly)
Building/Grounds Lead II	4.75 +.85 to 7.00 (hourly)
Building/Grounds Maintenance Worker	5.25 to 8.00 (hourly)
Chaplain I	5.00 to 6.00 (hourly)
Chemist I	36.92 to 70 (daily)
Conservation/Historic Preservation Worker	36.92 to 45 (daily)
Conservation/Historic Preservation Worker (2nd season) — site interpretation	4.75 +.56 to 6.50 (hourly)
Conservation/Historic Preservation Worker (2nd season) — site interpretation	4.75 +.56 to 6.50 (hourly)
Dentist I	4.78 to 6.50 (hourly)
Dentist II	70 to 150 (daily)
Educator	100 to 185 (daily)
Educator Aide	36.92 to 85 (daily)
	36.92 to 35 (daily)

ILLINOIS COMMUNITY COLLEGE BOARD
NOTICE OF PROPOSED AMENDMENTS

217/785-0213

- All written comments received within 45 days after this issue of the *Illinois Register* will be considered.
- 12) Initial Regulatory Flexibility Analysis: The Illinois Community College Board has determined that this rulemaking will not affect small business.
- 13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: It was not anticipated at the time the regulatory agendas were due.

The full text of the Proposed Amendments begins on the next page.

ILLINOIS COMMUNITY COLLEGE BOARD
NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Administration of the Illinois Public Community College Act

- 2) Code Citation: 23 Ill. Adm. Code 1501

- 3) Section Number: Proposed Action:
1501.102 Amendment

- 4) Statutory Authority: 110 ICS 805/2-7 (Advisory committees)

- 5) A Complete Description of the Subjects and Issues Involved: The proposed revisions to ICSB rules regarding the ICSB Student Advisory Committee are designed to clarify the membership of the committee, simplify the appointment process, and increase student involvement and input on policy decisions considered by the ICSB. The current rules are not clear regarding who is qualified to be considered for membership, who has the right to vote. In addition, there is not adequate student involvement on policy issues dealing with finance, instruction, student services, legislation, planning, and research.

- 6) Will these proposed amendments replace emergency rules currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Do these proposed amendments contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
1501.501	Amended	20 Ill. Reg. 11527, August 30, 1996
1501.520	Amended	20 Ill. Reg. 11527, August 30, 1996
1501.520	Amended	20 Ill. Reg. 14353, November 8, 1996
1501.504	Amended	20 Ill. Reg. 14353, November 8, 1996
1501.501	Amended	20 Ill. Reg. 14674, November 13, 1996
1501.519	Amended	20 Ill. Reg. 14674, November 13, 1996

- 10) Statement of Statewide Policy Objectives (if applicable): Not Applicable.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

Jill O'Shea
Director for Governmental Relations
Illinois Community College Board
509 South Sixth Street, Suite 400
Springfield, IL 62701-1874

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER VII: ILLINOIS COMMUNITY COLLEGE BOARD

PART 1501

ADMINISTRATION OF THE ILLINOIS PUBLIC COMMUNITY COLLEGE ACT

SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

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1501.101	Definition of Terms
1501.102	Advisory Groups
1501.103	Statewide and Regional Planning
1501.104	Mailings
1501.105	Advisory Opinions
1501.106	Executive Director
1501.107	Information Request (Recodified)
1501.108	Organization of ICCB (Recodified)
1501.109	Appearance at ICCB Meetings
1501.110	Appeal Procedure
1501.111	Reporting Requirements (Repealed)
1501.112	Certification of Organization (Repealed)
1501.113	Administration of Detachments and Subsequent Annexations
1501.114	Recognition

SUBPART B: LOCAL DISTRICT ADMINISTRATION

Section	
1501.201	Reporting Requirements
1501.202	Certification of Organization
1501.203	Delegation of Responsibilities
1501.204	Maintenance of Documents or Information
1501.205	Recognition Standards (Repealed)

SUBPART C: PROGRAMS

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1501.301	Definition of Terms
1501.302	Units of Instruction, Research, and Public Service
1501.303	Program Requirements
1501.304	Statewide and Regional Planning
1501.305	College, Branch, Campus, and Extension Centers
1501.306	State or Federal Institutions (Repealed)
1501.307	Cooperative Agreements and Contracts
1501.308	Reporting Requirements
1501.309	Course Classification and Applicability

SUBPART D: STUDENTS

ILLINOIS COMMUNITY COLLEGE BOARD

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1501.403	Student Services
1501.404	Academic Records
1501.405	Student Evaluation
1501.406	Reporting Requirements

SUBPART E: FINANCE

Section	
1501.501	Definition of Terms
1501.502	Financial Planning
1501.503	Audits
1501.504	Budgets
1501.505	Nonresident Student Tuition Calculations
1501.506	Published Financial Statements
1501.507	Credit Hour Grants
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1501.509	Workforce Preparation Grants
1501.510	Reporting Requirements
1501.511	Chart of Accounts
1501.512	Admitted Student Grants (Repealed)
1501.513	Advanced Technology Equipment Grants
1501.515	Capital Renewal Grants
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1501.518	

SUBPART F: CAPITAL PROJECTS

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1501.601	Definition of Terms
1501.602	Approval of Capital Projects
1501.603	State Funded Capital Projects
1501.604	Locally Funded Capital Projects
1501.605	Project Changes
1501.606	Progress Reports (Repealed)
1501.607	Reporting Requirements
1501.608	Approval of Projects in Section 3-20.3.01 of the Act
1501.609	Completion of Projects Under Section 3-20.3.01 of the Act
1501.610	Demolition of Facilities

SUBPART G: STATE COMMUNITY COLLEGE

Section	
1501.701	Definitions of Terms
1501.702	Applicability
1501.703	Recognition

ILLINOIS COMMUNITY COLLEGE BOARD

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1501.704 Programs
1501.705 Finance
1501.706 Personnel
1501.707 Facilities

SUBPART H: PERSONNEL

Section
1501.801 Definition of Terms
1501.802 Sabbatical Leaves

AUTHORITY: Implementing and authorized by Articles II and III and Section 6-5.3 of the Public Community College Act [10 ILCS 805/Arts. II and III and 6-5.3].

SOURCE: Adopted at 6 Ill. Reg. 14262, effective November 3, 1982; codified at 7 Ill. Reg. 2332; amended at 7 Ill. Reg. 16118, effective November 22, 1983; Sections 1501.103, 1501.107 and 1501.108 recodified to 2 Ill. Adm. Code 5175 at 8 Ill. Reg. 6032; amended at 8 Ill. Reg. 14262, effective July 25, 1984; amended at 8 Ill. Reg. 19383, effective September 28, 1984; emergency amendment at 8 Ill. Reg. 22603, effective November 7, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 24299, effective December 5, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 3694, effective March 13, 1985; amended at 9 Ill. Reg. 9470, effective June 11, 1985; amended at 9 Ill. Reg. 18813, effective October 21, 1985; amended at 10 Ill. Reg. 3612, effective January 31, 1986; amended at 10 Ill. Reg. 14658, effective August 22, 1986; amended at 11 Ill. Reg. 7606, effective April 9, 1987; amended at 11 Ill. Reg. 18150, effective October 27, 1987; amended at 12 Ill. Reg. 6660, effective March 25, 1988; amended at 12 Ill. Reg. 15973, effective September 23, 1988; amended at 12 Ill. Reg. 16699, effective September 23, 1988; amended at 12 Ill. Reg. 16981, effective November 15, 1988; amended at 12 Ill. Reg. 11842, effective January 13, 1989; amended at 13 Ill. Reg. 14900, effective February 12, 1989; emergency amendment at 14 Ill. Reg. 295, effective November 9, 1989, for a maximum of 150 days; emergency amendment expired on April 9, 1990; amended at 14 Ill. Reg. 4126, effective March 1, 1990; amended at 14 Ill. Reg. 10762, effective June 25, 1990; amended at 14 Ill. Reg. 11771, effective July 9, 1990; amended at 14 Ill. Reg. 13997, effective August 20, 1990; amended at 15 Ill. Reg. 10929, effective July 11, 1991; amended at 16 Ill. Reg. 12445, effective July 24, 1992; amended at 16 Ill. Reg. 17621, effective November 6, 1992; amended at 17 Ill. Reg. 1853, effective February 2, 1993; expedited correction at 18 Ill. Reg. 3027, effective August 20, 1990; amended at 18 Ill. Reg. 4625, effective March 9, 1994; amended at 18 Ill. Reg. 8906, effective June 1, 1994; amended at 19 Ill. Reg. 2259, effective February 14, 1995; amended at 19 Ill. Reg. 2816, effective February 21, 1995; amended at 19 Ill. Reg. 7213, effective May 26, 1995; amended at 21 Ill. Reg. _____, effective _____.

SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 1501.102 Advisory Groups

- a) Advisory Organizations. Independent organizations may be considered by the ICCB to be advisory upon petition to the State Board. Independent organizations so recognized by the ICCB as "advisory" will have the opportunity to bring matters before the ICCB during each regular ICCB meeting and will have an opportunity to provide advice to the ICCB on proposed rule and policy adoptions and matters of interest to community colleges. An advisory organization may have its recognition status withdrawn by action of the ICCB or by request of the organization. Advisory organization recognition may be granted by the ICCB at the request of an organization which meets the following criteria:
 - 1) The organization exists independently of the ICCB and any individual college;
 - 2) A primary purpose of the organization is to deal with matters of systemic importance; and
 - 3) Representatives of Illinois community college districts are included as voting members of the organization.
- b) Advisory Committees -- Standing. Standing advisory committees to the ICCB will be authorized and appointed by the ICCB. Membership and terms of appointment shall be established at the time of authorization.
- c) Authorized Committee -- Ad Hoc. The Executive Director is authorized to appoint ad hoc advisory committees to advise the ICCB staff on specific projects. The terms of appointment shall be for one (1) year or less.
- d) Student Advisory Committee
 - 1) Purpose. The purposes of this committee are to:
 - A) Review proposed ICCB policies.
 - B) Inform the ICCB of statewide issues that impact the education of community college students.
 - C) Select the ICCB Student Member.
 - 2) Membership. Each member of the Student Advisory Committee shall be the nonvoting student member of the local district board of trustees or a designee student designated by the district's chief executive officer if the non-voting student member is unable to serve. The ICCB Student Member will serve ex officio.
 - 3) Appointment--SAG members shall be appointed--each year--by--the ICCB--from--nominees--submitted--by--the--local--district--boards--of--trustees.
 - 4) Length-of-Term--SAG members shall--serve--a term--of--one--year--beginning--on--July 1--of--each--year--and--expiring--on--the--next--business--day--of--the--month--of--July.

3)5d Officing Chairperson. The Student Advisory Committee SAG shall annually select the following officers from its membership to serve a one-year term: a Chair to conduct the meeting of the Committee; a Vice Chair to assist the Chair; to conduct the

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF PROPOSED AMENDMENTS

meeting if the Chair is absent, and to represent the SAC on the ICB Student Advisory Committee, and a Recording Officer to record the minutes of all SAC meetings. Chairman-at-the-first meeting-by-a-majority-vote-of-members-present-if-the-Chairman is-absent-from-any-meeting-the-membership-shall-select-a Chairman-Pro-Tem-by-a-majority-vote-of-members-present-the Chairman-shall-preside-at-all-meetings-of-SAC--The-Chairman's duty-will-be-to-assist-the-SAC-in-achieving-its-purpose-as-stated in-subsection-(d)(1)-above:

- 4) SAC shall elect one representative from its membership annually to serve one year terms on each of the ICB advisory committees (Program, Finance, Legislative, and MIS/Research) by a majority vote of members present.
- 5) The Executive Director of the ICCB shall call SAC meetings at least once each quarter and notify each local district board of trustees at least 30 days in advance of each meeting.
- 6) Reimbursement for travel, food, and necessary meeting expenses of SAC members will be in accordance with Section 2-7 of the Act of SAC members.
- 7) ICCB Meetings. The SAC report shall be given at regular ICCB meetings.
- e) Selection of ICCB Student Member. The SAC will seek nominations and appointments for the ICCB Student Member from all Illinois public community colleges. Each college district can nominate one candidate for this position. The nomination application shall include information such as personal information (name and address), number of credit hours (current and expected), college and community activities, resume, letters of reference, and rationale for desiring the position. The ICCB Student Member shall be elected before June 1 by a majority vote of SAC members present from all nominations applicants who meet ICCB student membership requirements as delineated in subsection (f) below.
- f) Membership Requirements of ICCB Student Member. The ICCB Student Member shall be enrolled in an Illinois public community college for a minimum course load of six (6) semester or quarter credit hours during both the fall and spring semesters (fall/winter/spring quarters) for each term of his/her appointment. If the course load of the ICCB Student Member falls below the minimum credit hours, that member shall be replaced by a majority vote of the SAC members present at the next SAC meeting.
- g) Length of Term of ICCB Student Member. The ICCB Student Member shall serve for a term of one (1) year beginning on July 1 and expiring on June 30. No ICCB Student Member shall serve for more than two terms. Service during a partial term shall not be considered as one term.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) **Heading of the Part:** Falconry and the Captive Propagation of Raptors
- 2) **Code Citation:** 17 Ill. Adm. Code 1990
- 3) **Section Numbers:**
1590.20
1590.80
1590.110
Proposed Action:
Amendments
Amendments
- 4) **Statutory Authority:** Implementing and authorized by Sections 1.3, 1.4, 2.1, 2.2, 2.4, 2.6, 2.7, 2.13, 2.18, 2.20, 2.27, 2.28, 2.29, 2.30, 3.5, and 3.16 of the Wildlife Code [520 ICS 5/1.3, 1.4, 2.1, 2.2, 2.4, 2.6, 2.7, 2.13, 2.18, 2.20, 2.27, 2.28, 2.29, 2.30, 3.5 and 3.16] and Section 5 of the Illinois Endangered Species Protection Act [520 ICS 10/5].
- 5) **A Complete Description of the Subjects and Issues Involved:** This part is being amended to provide a framework for sponsors to discontinue sponsorship of an apprentice class permittee during the 2-year apprenticeship; specify bag and possession limits for falconry hunting seasons; limit apprentice class permittees to possession of only passage raptors; and to clarify that apprentice class permittees may not raise raptors in captivity.
- 6) **Will this rulemaking replace any emergency rulemaking currently in effect?**
No
- 7) **Does this rulemaking contain an automatic repeal date?** No
- 8) **Does this rulemaking contain incorporations by reference?** No
- 9) **Are there any other proposed rulemakings pending on this Part?** No
- 10) **Statement of Statewide Policy Objectives:** This rulemaking does not affect units of local government.
- 11) **Time, Place and Manner in which interested persons may comment on this proposed rulemaking:** Comments on the proposed rule may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price
Department of Natural Resources
524 S. Second Street
Springfield, IL 62701-1787
217/782-1809
- 12) **Initial Regulatory Flexibility Analysis:** This rulemaking does not affect units of local government.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 13) Regulatory Agenda on which this rulemaking was summarized. This rule was not included on either of the 2 most recent agendas because: The Department did not file a Regulatory Agenda during the last two filing periods because we did not anticipate amending this rule.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17. CONSERVATION
CHAPTER I. DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER 6. FORESTRY

PART 1590

FALCONRY AND

THE CAPTIVE PROPAGATION OF RAPTORS

- Section
1590.10 Establishment of Rules and Regulations
1590.20 Definitions for the Purpose of these Regulations
1590.30 Provisions of Rules and Regulations (Repealed)
1590.40 Violation of Rules (Repealed)
1590.50 Permit and License Requirements
1590.60 Examination and Application Procedures
1590.70 Inspection of Facilities and Equipment
1590.80 Falconry Permits - Class and Types
1590.90 Capturing of Raptors - Regulations
1590.100 Transfer, Temporary Care and Reporting Requirements
1590.110 Hunting Seasons for Falconers
1590.120 Special Provisions
1590.130 Violation of Rules

APPENDIX A Migratory Bird Acquisition and Disposition Report

AUTHORITY: Implementing and authorized by Sections 1-3, 1-4, 2-1, 2-2, 2-4, 2-6, 2-7, 2-13, 2-18, 2-20, 2-27, 2-28, 2-29, 2-30, 3-5 and 3-36 of the Wildlife Code [520 ILCS 5/1-3, 1-4, 2-1, 2-2, 2-4, 2-6, 2-7, 2-13, 2-18, 2-20, 2-27, 2-28, 2-29, 2-30, 3-5 and 3-36] and Section 5 of the Illinois Endangered Species Protection Act [520 ILCS 10/5].

SOURCE: Amendment filed November 17, 1977, effective January 1, 1978; emergency amendment at 5 Ill. Reg. 9161, effective September 1, 1981, for a maximum of 150 days; amended at 6 Ill. Reg. 6207, effective May 14, 1982; amended at 10 Ill. Reg. 16627, effective September 24, 1986; amended at 11 Ill. Reg. 11350, effective June 9, 1987; amended at 12 Ill. Reg. 12807, effective July 26, 1988; amended at 13 Ill. Reg. 10567, effective June 16, 1989; amended at 14 Ill. Reg. 6088, effective April 17, 1990; amended at 15 Ill. Reg. 32, effective December 24, 1990; amended at 15 Ill. Reg. 16681, effective October 31, 1991; amended at 16 Ill. Reg. 11052, effective June 30, 1992; amended at 18 Ill. Reg. 14700, effective September 19, 1994; recodified by changing the Agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 21 Ill. Reg. _____, effective _____.

Section 1590.20 Definitions for the Purpose of these Regulations

- a) Falconry - The sport of taking or attempting to take any species of animal by means of a trained raptor.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- b) Falconer - a person who engages in the sport of falconry.
- c) Raptor - any bird of the Orders Falconiformes or Strigiformes which includes all hawks, eagles, falcons, kites, harriers, ospreys, and owls.
- d) Endangered Species - any species or subspecies contained in the federal endangered species list issued pursuant to the Federal Endangered Species Protection Act of 1973 (16 U.S.C. 1531 et seq.) and its amendments plus other species or subspecies as the Illinois Endangered Species Protection Act [50 ICS 10] (1973-Rev-Stat-1989) (ch--9--par--331-et--seq) deems to be in danger of extinction (reference 17 Ill. Adm. Code 1010).
- e) Threatened Species - any species or subspecies likely to become an endangered species or subspecies in the foreseeable future pursuant to the Federal Endangered Species Protection Act of 1973 and Illinois Endangered Species Protection Act.
- f) Endangered Species Protection Act of 1973 and Illinois Endangered Species Protection Act.
- g) Fish and Wildlife Service - the United States Department of Interior - Fish and Wildlife Service.
- h) Imping - the method of repairing broken flight or tail feathers.
- i) Marker - a seamless, or other numbered, non-reusable marker supplied by the Fish and Wildlife Service.
- j) Replacement Raptor - a raptor obtained from the wild to replace one which has died in captivity, has escaped, or has been lawfully released to the wild.
- k) Bred in Captivity or Captive-Bred - refers to raptors, including eggs, hatched in captivity from parents that mated or otherwise transferred gametes in captivity.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 1590.80 Falconry Permits - Class and Types

- a) Apprentice Class. Permittees shall be at least 14 years of age, and must serve an apprenticeship under a general or master class permittee for the first 2 years in which an apprentice permit is held. Sponsors who assist the apprentice in obtaining an apprentice class permit shall be entitled to the sponsorship of an apprentice class permit. The Department will provide a copy of the letter, receipt showing the date the letter was received, the apprentice shall have 45 days from the date of the letter to secure another sponsor or shall forfeit his/her permit. Permittees may possess no more than one raptor, and may obtain no more than one replacement raptor during any 12-month period. Permittees may possess only a passage American kestrel, red-tailed hawk, or red-shouldered hawk taken from the wild in accordance with federal regulations (50 CFR 21.29, effective September 14, 1989) in this Part. Sponsors may not have more than 3 three apprentices at any one time.
- b) General Class. Permittees must be at least 18 years of age and have at least 2 two years of licensed falconry experience at the apprentice class level. Permittees shall possess no more than 2 two raptors, and may not obtain more than 2 two replacement raptors during any 12-month period. Permittees shall not take any species or subspecies listed as eagles. Permittees shall not take any species or subspecies listed as threatened under the U.S. Fish and Wildlife Service (50 CFR 17, effective July 15, 1991) (or any subspecies of this Part includes later amendments or editions), but may possess captive-bred raptors of such species as part of the 2-two-bird limit.
- c) Master Class. Permittees must have at least 5 five years of licensed falconry experience at the general class level. Permittees shall possess no more than 3 three raptors, and may not obtain more than 2 two replacement raptors during any 12-month period. Permittees shall not take any species or subspecies listed as endangered by the U.S. Fish and Wildlife Service, but may possess captive-bred raptors of such species as part of the 3-three-bird limit (50 CFR 17, effective January 1, 1989). Permittees shall not take, in any 12-two-month period, as part of the 3-three-bird limit, more than one raptor listed as threatened by the U.S. Fish and Wildlife Service and then only in accordance with this Part and federal regulations (50 CFR 17, effective September 14, 1989) (no No incorporation in this Part includes later amendments or editions). Permittees may not take, transport or possess golden eagles for falconry purposes unless authorized in writing by the U.S. Fish and Wildlife Service (50 CFR 21.24, effective December 29, 1983). (No incorporation in this Part includes later amendments or editions.)
- d) Upon completing the requirements needed to enter the next highest class, the permittee shall request that the Department upgrade the permit. The Department shall confirm the completion of all requirements and grant the request upon approval from the U.S. Fish and Wildlife Service.
- e) Captive Propagation. Unless this Part is more restrictive, federal regulations (50 CFR 21.30, effective September 14, 1989) shall govern the activities of Illinois Captive Propagation permittees. Raptors held for captive propagation purposes may be held only under permits from both the U.S. Fish and Wildlife Service and the Department. The initial fee for a captive propagation permit is seventy-five (\$75) dollars for 3 three years and must be renewed every 3 three years if raptors are to be possessed or held beyond the permit expiration date. A holder of an Illinois captive propagation permit must also be a holder of a general or master class Illinois falconry permit. An Illinois captive propagation permit holder may transfer, purchase, sell, or barter raptors, raptor eggs, or raptor semen in accordance with federal regulations (50 CFR 21.30, effective September 14, 1989) (no incorporation in this Part includes later amendments or editions), this Part, and the laws of other jurisdictions in which these products are transferred, purchased, sold, or bartered. Nothing in this Part

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- b) General Class. Permittees must be at least 18 years of age and have at least 2 two years of licensed falconry experience at the apprentice class level. Permittees shall possess no more than 2 two raptors, and may not obtain more than 2 two replacement raptors during any 12-month period. Permittees shall not take any species or subspecies listed as eagles. Permittees shall not take any species or subspecies listed as threatened under the U.S. Fish and Wildlife Service (50 CFR 17, effective July 15, 1991) (or any subspecies of this Part includes later amendments or editions), but may possess captive-bred raptors of such species as part of the 2-two-bird limit.
- c) Master Class. Permittees must have at least 5 five years of licensed falconry experience at the general class level. Permittees shall possess no more than 3 three raptors, and may not obtain more than 2 two replacement raptors during any 12-month period. Permittees shall not take any species or subspecies listed as endangered by the U.S. Fish and Wildlife Service, but may possess captive-bred raptors of such species as part of the 3-three-bird limit (50 CFR 17, effective January 1, 1989). Permittees shall not take, in any 12-two-month period, as part of the 3-three-bird limit, more than one raptor listed as threatened by the U.S. Fish and Wildlife Service and then only in accordance with this Part and federal regulations (50 CFR 17, effective September 14, 1989) (no No incorporation in this Part includes later amendments or editions). Permittees may not take, transport or possess golden eagles for falconry purposes unless authorized in writing by the U.S. Fish and Wildlife Service (50 CFR 21.24, effective December 29, 1983). (No incorporation in this Part includes later amendments or editions.)
- d) Upon completing the requirements needed to enter the next highest class, the permittee shall request that the Department upgrade the permit. The Department shall confirm the completion of all requirements and grant the request upon approval from the U.S. Fish and Wildlife Service.
- e) Captive Propagation. Unless this Part is more restrictive, federal regulations (50 CFR 21.30, effective September 14, 1989) shall govern the activities of Illinois Captive Propagation permittees. Raptors held for captive propagation purposes may be held only under permits from both the U.S. Fish and Wildlife Service and the Department. The initial fee for a captive propagation permit is seventy-five (\$75) dollars for 3 three years and must be renewed every 3 three years if raptors are to be possessed or held beyond the permit expiration date. A holder of an Illinois captive propagation permit must also be a holder of a general or master class Illinois falconry permit. An Illinois captive propagation permit holder may transfer, purchase, sell, or barter raptors, raptor eggs, or raptor semen in accordance with federal regulations (50 CFR 21.30, effective September 14, 1989) (no incorporation in this Part includes later amendments or editions), this Part, and the laws of other jurisdictions in which these products are transferred, purchased, sold, or bartered. Nothing in this Part

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- shall prevent a permittee from holding individual birds under the authority of both the falconry permit and the captive propagation permit at the same time within the numerical limits for the falconry permit.
- 2) Raptors shall not be cross-bred (hybridization) unless specific authorization is granted by the Department.
 - 3) Raptors may be placed for breeding purposes in accordance with Section 150.110 of this Act.
 - 4) Captive-produced raptors shall be placed for breeding purposes in accordance with the Department of the U.S. Fish and Wildlife Service (50 CFR 21, effective September 14, 1989).
 - 5) All raptors possessed under authority of an Illinois falconry permit must be identified by a marker. The loss or removal of any marker must be reported to the Department and the U.S. Fish and Wildlife Service (on U.S. Fish and Wildlife Service Form 3-186A) within 5 working days after the loss or removal. The band must be replaced by a marker provided by the Department. A U.S. Fish and Wildlife Service Form 3-186A must be filed within 5 days after receipt of the replacement marker.
 - 6) No person may possess a bald eagle, osprey, or any owl, except great-horned owls, for falconry purposes (4111-Rev-Staty-1991-chr 617-par-2-4) [520 ILCS 5/2.41].
 - 7) The Department shall issue special use permits in accordance with 17 Ill. Adm. Code 520.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 1590.110 Hunting Seasons for Falconers

- a) Falconers shall possess a valid hunting license, appropriate State and Federal Federal stamps and abide by all Wildlife Code wildlife-code regulations.
- b) The statewide seasons for harvesting the following game birds, game mammals, and fur-bearing mammals by falconry methods shall be:
 - 1) Cock and hen pheasant, bobwhite quail, hen-peasantry--Bobwhite Quail Hungarian (gray grey) partridge, cottontail partridge, cottontail and swamp rabbits, raccoon, opossum, skunk, gray fox, swamp-habitat, raccoon, opossum, skunk, gray-fox, and red fox
 - 2) Fox and gray squirrel--Gray-Squirrels: 1 August - 31 January
 - 3) No possession limits shall be in effect for fur-bearing mammals. Possession limits for fox and gray squirrels shall be the same as for 17 Ill. Adm. Code 520.21. B and C.
 - 4) No possession limits for pheasant, bobwhite quail, Hungarian (gray grey) partridge, cottontail and swamp rabbits shall be the same as specified in 17 Ill. Adm. Code 520.20, except that hen pheasants may be included

DEPARTMENT OF NATURAL RESOURCES

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as part of bag and possession limits in accordance with 520 ILCS 5/2.6.

- d) Seasons, bag limits and possession limits for harvesting the following migratory birds by falconry methods shall be in accordance with federal regulations (50 CFR 20.109, effective October 4, 1985) (no incorporation in this part includes later amendments or editions): Snipe, rails (sora sora and Virginia), ducks, geese, coot, woodcock, dove, Bucker-Geese, Goot-Woodcock-Dove and crow crow.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

1) Heading of the Part: Illinois Architecture Practice Act of 1989

2) Code Citation: 68 Ill. Adm. Code 1150

3) Section Numbers: Proposed Action:

1150.30 Amendment

1150.60 Amendment

1150.80 Amendment

4) Statutory Authority: The Illinois Architecture Practice Act of 1989 (225 ICS 3051).

5) A Complete Description of the Subjects and Issues Involved: Public Act 89-594, Section 350, effective August 2, 1996, added a requirement that an applicant for an architect license in Illinois who graduated from an architect program outside the United States or its territories and whose first language is not English must submit certification of passage of the test of English as a foreign language (TOEFL) and the Test of Spoken English (TSE) as defined by the Board before taking the licensure examination. This rulemaking provides procedures for submitting such certification.

Section 11 of the Act authorizes the Department to require a foreign-educated applicant, at the applicant's expense, to have his/her education in a foreign country evaluated by a nationally recognized educational body. These proposed rules designate the Education Evaluator Services for Architects (EESA) as the nationally recognized educational body to perform the evaluations and specify that it is EESA's comprehensive evaluation that is required.

Section 21 of the Act requires persons who desire to practice architecture in Illinois in the form of a partnership, limited liability company or corporation to register with the Department. This rulemaking sets forth the procedures and information required to register a professional design firm with the Department. The registration requirements also affect any sole proprietorship that operates under an assumed name.

6) Will these proposed amendments replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local government.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: interested persons may submit written comments to:

Department of Professional Regulation
Attention: Karen Coffeen
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax #: 217/782-7645

All written comments received within 45 days of this issue of the Illinois Register will be considered.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Those employing licensed architects.

B) Reporting, bookkeeping or other procedures required for compliance: Applicants who received their education in a foreign country will be required to have their education evaluated, at their expense, by the Education Evaluator Services for Architects. Each design firm corporation, limited liability company or partnership is responsible for notifying the Department of Professional Regulation within 30 days of any changes in membership or licensure status of members of the firm.

C) Types of professional skills necessary for compliance: Architect skills are necessary for licensure.

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the proposed amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONSILLINOIS ARCHITECTURE PRACTICE ACT OF 1989
PART 1150

- Section 1150.10 Category I - Education Requirements and Diversified Professional Training Requirements for Individuals Whose Education Was Initiated After January 1, 1990
- 1150.20 Category II - Education Requirements and Diversified Professional Training Requirements for Individuals Whose Education Was Initiated Prior to January 1, 1990
- 1150.30 Application for Licensure by Examination
- 1150.40 Examination
- 1150.50 Approved Architecture Programs
- 1150.60 Licensure by Endorsement
- 1150.75 Restorative Status
- 1150.80 Architectural Design Firm Corporations and Partnerships
- 1150.85 Acts Constituting the Practice of Architecture Pursuant to Section 5 of the Act
- 1150.90 Standards of Professional Conduct
- 1150.95 Architecture Complaint Committee
- 1150.100 Renewals
- 1150.110 Granting Variances

ILLUSTRATION A Categories of Diversified Professional Training

APPENDIX A
AUTHORITY: Implementing the Illinois Architecture Practice Act of 1989 [225 ILCS 305] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Rules and Regulations promulgated for the Administration of the Illinois Architecture Act, effective May 29, 1975; amended May 12, 1977; codified at 5 Ill. Reg. 11019; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 7 Ill. Reg. 7658, effective June 15, 1983; amended at 9 Ill. Reg. 5691, effective April 16, 1985; amended at 11 Ill. Reg. 14077, effective August 5, 1987; transferred from Chapter I, 68 Ill. Adm. Code 150 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1150 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2933; amended at 16 Ill. Reg. 3143, effective February 14, 1992; amended at 17 Ill. Reg. 1554, effective January 25, 1993; amended at 18 Ill. Reg. 10736, effective June 27, 1994; amended at 19 Ill. Reg. 16066, effective November 17, 1995; amended at 20 Ill. Reg. 7873, effective May 30, 1996; amended at 21 Ill. Reg. _____, effective _____.

DEPARTMENT OF PROFESSIONAL REGULATION

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Section 1150.30 Application for Licensure by Examination

- a) An applicant for licensure as an architect shall file an application on forms supplied by the Department at least 90 days prior to an examination date. The application shall include education and training, as required by Section 1150.10 and 1150.20.
- b) The applicant shall submit the form of certifications of education completed by the school, college or university attended, and certification by the supervising architect.
- B) Applicants who received their education in a foreign country shall have the education comprehensively evaluated at their expense, by the Education Evaluator Services for Architects (EESA). Applicants shall obtain the forms from the EESA, Educational Credential Evaluators, Inc., P.O. Box 17499, Milwaukee, WI 53217. The Board will review all transcripts and the comprehensive evaluation submitted to the Department to determine if the education meets the requirements set forth in Sections 1150.10 and 1150.20.
- 2) A complete work history indicating all professional architectural experience;
- 3) If the such applicant has ever been licensed in another jurisdiction, certification from the jurisdiction of original licensure and certification from the jurisdiction of predominant active practice including the following:
- A) The date of issuance of the applicant's license and the current status of such license;
- B) The basis of licensure and a description of the examination by which the applicant was licensed, if any; and
- C) Whether the records of the licensing authority contain any record of any disciplinary action taken or pending against the applicant;
- 4) The required fee; and
- 5) Proof of passage of the Test of English as a Foreign Language (TOEFL) with a score 550 and the Test of Spoken English (TSE) with a score of 50, for applicants who apply after January 1, 1997, who graduated from an architectural program outside the United States or its territories and whose first language is not English. In order to determine applicants whose first language is English, the applicant shall submit verification from the school that the architectural program from which the applicant graduated was taught in English.
- b) An applicant shall complete the required training by the date of the application for examination to be permitted to sit for that examination.

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(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 1150.60 License by Endorsement

- a) An applicant who holds an active license or registration to practice architecture under the laws of another state or territory and who desires to become licensed by endorsement shall file an application with the Department together with:

- 1) Either:
 - A) Council Certification, issued by and forwarded directly to the Department by the NCARB; or
 - B) Other Proof of Qualifications and License
 - i) Proof that the applicant has met requirements substantially equivalent to those in force in this State at the time of original or subsequent licensure by written examination in the other state or territory, including certification of education, and affidavits of training.
 - ii) A certification by the state or territory of original licensure and any other jurisdiction in which the applicant is or has ever been licensed, including the date of issuance of the applicant's license and the current status of each license; the basis of licensure and a description of all examinations by which the applicant was licensed in that state or territory and the date of passage of any such examinations; and whether the records of the licensing authority contain any record of any disciplinary action taken or pending against the applicant;
- 2) The required fee as set forth in Section 19 of the Act; and
- 3) A complete work history since graduation from an architecture program;

- 4) Applicants who received their education in a foreign country shall have the education comprehensively evaluated, at their expense, by the Education Evaluator Services for Architects (EESA). Applicants shall obtain the forms from the EESA, Educational Credential Evaluators, Inc., P.O. Box 17499, Milwaukee, WI 53217. The Board will review all transcripts and the evaluation submitted to the Department to determine if the education meets the requirements set forth in Sections 1150.10 and 1150.20 and
- 5) Proof of passage of the Test of English as a Foreign Language (TOEFL) with scores of 550 and equivalent on the Test of English as a Foreign Language (TOEFL) which was administered after January 1, 1991 on a score of 50 or below and an architectural program outside the United States in its territories and whose first language is not English. In order to determine applicants whose first language

DEPARTMENT OF PROFESSIONAL REGULATION

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is English, the applicant shall submit verification from the school that the architectural program from which the applicant graduated was taught in English.

- b) The Department shall examine each endorsement application to determine whether the requirements in the state or territory of original or subsequent licensure were substantially equivalent to the requirements then in force in this State. The Department shall either issue a license by endorsement to the applicant or notify the applicant in writing of the reason for the denial of the application.
- c) The Department shall, in individual cases, upon recommendation of the Board, waive passage of one or more parts of the examination upon proof that the applicant has been lawfully engaged in the practice of architecture in another jurisdiction for a minimum of five years and has provided evidence demonstrating competence in the areas(s) of examination being considered for waiver (i.e., architectural education, training and experience). If an applicant has previously failed to pass a part or parts of the examination, the applicant shall not be granted a waiver for the part or parts pursuant to this provision.
- d) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of a lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant shall be requested to:
 - 1) Provide such information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information, or clear up any discrepancies or conflicts in information.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 1150.80 Professional Design Firm Corporations and Partnerships

- a) Persons who desire to practice architecture in this State in the form of a partnership, limited liability company or corporation (if the form is a corporation and such corporation was not formed under the Professional Service Corporation Act [805 ILCS 10] 4111-Rev-Stat-1989-ch-32-par-415-37-re-sect-77) or sole proprietorship (if the sole proprietorship is conducting or transacting business under an assumed name in accordance with the Assumed Business Name Act [805 ILCS 405]) shall, in accordance with Section 21 of the Act, file an application with the Department, on forms provided by the Department, together with the following:

- 1) For Corporations
 - A) The name of the corporation and its registered address, the names of all members of the board of directors, and the name of the state and license number for each director who is

DEPARTMENT OF PROFESSIONAL REGULATION

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licensed as an architect, structural engineer or professional engineer. To qualify under Section 21 of the Act, at least two-thirds of the board of directors shall be licensed.

B) A copy of the Articles of Incorporation bearing the seal of the office, in the jurisdiction in which the corporation is organized, whose duty is to register corporations under the laws of that jurisdiction, on the purpose of the Articles of the corporation shall be provided to the purpose of the corporation is to provide architectural services. If it is a foreign corporation, a copy of the certificate of authority to transact business in this State is required; and

C) A certified copy of the resolution adopted by the board of directors designating a member(s) of the board of directors who is an Illinois licensed architect as the managing agent(s) in charge of the architectural activities in this State. The Illinois license number of the architect(s) designated as the managing agent(s) shall also be included in the resolution.

2) For partnerships.

A) An application containing the name of the partnership and its business address and the names of all general partners, with the name of the state in which each is licensed and the license number of each general partner who is licensed as an architect, structural engineer or professional engineer. To qualify under Section 21 of the Act, two-thirds of the general partners shall be licensed in any state or territory.

B) A certified copy of the resolution adopted by the general partners designating the general partner(s) who is an Illinois licensed architect(s) as the managing agent(s) in charge of the architectural activities in this State. The Illinois license number of the architect(s) designated as the managing agent(s) shall also be included in the resolution.

3) For Limited Liability Companies.

A) An application containing the name of the limited liability company, the business address and the members of the company, the name of the state in which each is licensed as an architect and the license number of each member.

B) A certified copy of the articles of organization or statement designating a member of the company who is an Illinois licensed architect as the managing agent in charge of the architectural activities in this State and authority to make all final decisions involving architectural work within Illinois.

4) For Sole Proprietorships. An application containing the name of

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the sole proprietorship and its business address and the name and license number of the architect who owns and operates the business.

5) A list of all office locations in Illinois at which the corporation, limited liability company, or partnership or sole proprietorship provides architectural services.

6) A list of all assumed names used by the corporation, limited liability company, partnership or sole proprietorship.

7) The fee required in Section 19 of the Act.

b) Upon receipt of the above documents, the Department shall issue a license authorizing the corporation, limited liability company, or partnership or sole proprietorship to engage in the practice of architecture or notify the applicant in writing of the reason for the denial of such application.

c) Each individual architectural office maintained for the preparation of drawings, specifications, reports or other professional work shall have a resident architect(s), licensed in Illinois and regularly employed in that office, having direct supervision and control of such work. Nothing in this Section shall relieve the managing agent(s) in charge of architectural activities in this State of any legal responsibility for the overall supervision of the individual architectural offices.

d) Each corporation, limited liability company or partnership shall be responsible for notifying the Department within 30 days of any changes in:

1) The membership of the board of directors, members of the limited liability company or of the general partners; and
2) The licensure status of any of the general partners, members of the limited liability company or any of the licensed architect or engineering members of the board of partners.

e) Each engineering member of the board of partners or partnership shall be responsible for notifying the Department in writing, by certified mail, within 10 business days after a termination or change in status of the managing agent(s). Thereafter, the corporation, limited liability company or partnership, if it has so informed the Department, has 30 days to notify the Department of the name and license number of the architect licensed in Illinois who is the newly designated managing agent(s).

f) Failure to notify the Department as required in subsections (d) and (e) or any failure of the corporation, limited liability company or partnership to continue to comply with the requirements of Section 21 of the Act will subject the corporation or partnership to the loss of its license to practice architecture in Illinois.

g) Sole Proprietorships. Any sole proprietorship owned and operated by an architect who has an active Illinois license is exempt from the registration requirement of a professional design firm. However, if the sole proprietorship operates under an assumed name, the sole proprietor shall file an application with the Department indicating

DEPARTMENT OF PROFESSIONAL REGULATION

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all assumed names utilized. A sole proprietorship shall notify the Department of any assumed name changes.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Jockeys, Apprentices, Jockey Agents and Valets
- 2) Code Citation: 11 Ill. Adm. Code 1411
- 3) Section Numbers: Proposed Action:
1411.160 Amendment
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) A Complete Description of the Subjects and Issues Involved: This proposal reduces the minimum suspension for careless riding from 5 days to 3 days. The jockeys and stewards believe this change will promote consistency by providing a lesser sanction for gray area cases. The proposal also allows for fines, as is the current practice in harness racing.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporation by reference? No
- 9) Are there any other proposed amendments pending in this Part? No
- 10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments should be submitted, within 45 days of this notice, to:

Gina DiCaro
Illinois Racing Board, Legal Department
100 West Randolph, Ste. 11-100
Chicago, Illinois 60601
(312)814-5070
- 12) Initial Regulatory Flexibility Analysis:
 - A) Types of small business affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda which this rulemaking was summarized: This rule was not included on either of the 2 most recent regulatory agendas because: This

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

rulemaking was not summarized in a regulatory agenda.

The full text of the proposed amendment begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY

SUBTITLE B: HORSE RACING

CHAPTER 1: ILLINOIS RACING BOARD

SUBCHAPTER 9: RULES AND REGULATIONS OF HORSE RACING
(THOROUGHBRED)

PART 1411

JOCKEYS, APPRENTICES, JOCKEY AGENTS, AND VALETS

Section	
1411.05	Colors Worn by Riders
1411.10	Jockey Fees (Repealed)
1411.20	Paying Fines
1411.30	Jockey Ownership of Horse
1411.40	Under Suspension
1411.50	Betting By Jockey
1411.60	Record of Jockey Betting
1411.65	Interrogation by Stewards
1411.70	Racing Against Employer's Starter
1411.75	Spouse Riding at Each Other (Repealed)
1411.78	Owner or Trainer As Spouse
1411.80	Racing Against Agent's Horse
1411.90	Priority of Retainers
1411.95	Conflicting Claims on Jockeys
1411.100	Whips, Length and Kind
1411.110	Illegal Whipping
1411.120	Leaving Operating Track
1411.130	Jockey Rules Apply to Apprentices
1411.140	Apprentice Rule
1411.150	Change of Agent
1411.160	Rough or Careless Riding
1411.170	Early Examination
1411.180	Examination Because of Illness
1411.190	Jockey's Valet
1411.195	Valet's Fees (Repealed)
1411.200	Record of Jockey Engagements by Agent
1411.210	Falsifying Engagement Records
1411.220	Agent Barred from Paddock and Track
1411.230	Engagements Made Through Agent
1411.240	Safety Equipment
1411.250	Designated Races

AUTHORITY: Authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Published in Rules and Regulations of Horse Racing (original date not cited in publication); codified at 5 Ill. Reg. 10977; amended at 7 Ill. Reg. 1423, effective January 24, 1983; amended at 17 Ill. Reg. 12426, effective July

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

15, 1993; amended at 17 Ill. Reg. 21852, effective December 3, 1993; amended at 18 Ill. Reg. 2092, effective January 21, 1994; amended at 19 Ill. Reg. 12687, effective September 1, 1995; amended at 21 Ill. Reg. _____, effective _____.

Section 141.160 Rough or Careless Riding

At the discretion of the stewards, a jockey guilty of rough or careless riding shall be subject to a suspension of not less than 3 days and/or a fine. No less than 10-day minimum suspension will be imposed by the stewards on any jockey or apprentice found guilty of rough riding and no less than five-day minimum suspension will be imposed by the stewards on any jockey or apprentice guilty of careless riding.

(Source: Amended at 21 Ill. Reg. _____, effective _____.)

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Public Library Construction Grants
- 2) Code Citation: 23 Ill. Adm. Code 3060
- 3) Section Number:
3060.100 Proposed Action:
Amendment
3060.400 Amendment
3060.500 Amendment
3060.600 Amendment
3060.800 Amendment
- 4) Statutory Authority: Implementing Section 3 of the Capital Development Bond Act of 1972 [30 ILCS 420/3] and authorized by Sections 3 and 8 of the Illinois Library System Act [75 ILCS 10/3 and 8].
- 5) A Complete Description of the Subjects and Issues Involved: Pressing needs in Illinois public libraries for renovation projects necessitate rules to enable the libraries to apply for special grants under the construction program.
- 6) Will This Proposed Amendment Replace an Emergency Rule Currently in Effect? Yes
- 7) Does This Rulemaking Contain an Automatic Repeal Date? No
- 8) Does This Amendment Contain Incorporations By Reference? Yes
- 9) Are There Any Other Proposed Amendments Pending on This Part? No; emergency amendment only.
- 10) Statement of Statewide Policy Objectives: The amendment enables public libraries to receive funding for important library remodeling and refurbishing projects as well as identify the role of the library building consultant. A reference to the Illinois public library standards is also updated.
- 11) Time, Place, and Manner in Which Interested Persons May Comment on This Proposed Rulemaking: Written comments and questions should be mailed, faxed, or sent electronically within 45 days of publication of the proposed amendments in the *Illinois Register* to:

Ms. Kathleen L. Bloomberg
Associate Director for Administration
Illinois State Library
300 W. Second Street
Springfield, IL 62701-1796
217/785-0052
217/782-6062 FAX

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

kbloom@library.sos.state.il.us INTERNET

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Will enable some public municipal libraries to receive mini-grants without providing matching local funds.

B) Reporting, bookkeeping or other procedures required for compliance: Not applicable.

C) Types of professional skills necessary for compliance: Not applicable.

13) Regulatory Agenda on Which This Rulemaking Was Summarized: July 1996

The full text of the Proposed Amendments is identical to the Emergency Amendment appearing in this issue of the Illinois Register on page _____.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Oversize and Overweight Permit Movements on State Highways
- 2) Code Citation: 92 Ill. Adm. Code 554
- 3) Section Numbers:
 - 554.302 Proposed Action:
 - 554.311 Repeal
 - 554.407 Amend
 - 554.501 Amend
- 4) Statutory Authority: Implementing and authorized by Article III of the Illinois Size and Weight Law [625 ILCS 5/Ch. 15, Art. III].
- 5) A complete description of the subjects and issues involved: The Department is repealing Section 554.302 because the Department no longer desires to prescribe the manner of transmission or retransmission of permits. Most companies affected by this Part routinely retransmit messages to drivers.
Section 554.311 is being amended to include statutory language not currently contained in the rule.
Section 554.407 is being amended to comply with 625 ILCS 5/15-102(b)(2) that applies to farm equipment.
Section 554.501 is being amended at the request of the Federal Highway Administration to include a definition of a "non-divisible" load. This language is being added to comply with 23 CFR 658.5.
- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

Mr. Robert W. Jones, Chief

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Bureau of Operations
Illinois Department of Transportation, Room 009
2300 South Dirksen Parkway
Springfield, Illinois 62764
(217) 782-7331

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

Christine Caronna-Beard, Rules Manager
Illinois Department of Transportation
2300 South Dirksen Parkway, Room 300
Springfield, IL 62764
(217) 782-3215

Comments received within forty-five days after the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses affected: Trucking companies and those that depend upon trucking companies for movement of oversize/overweight loads.

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because: The Department did not anticipate making these changes to Part 554 until the end of the summer.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER 1: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER f: HIGHWAYS

PART 554

OVERSIZE AND OVERWEIGHT PERMIT MOVEMENTS ON STATE HIGHWAYS

SUBPART A: GENERAL REGULATION

Section
554.101 Legal Authority
554.102 Partial Invalidity
554.103 Scope
554.104 When a Permit is Required
554.105 To Whom Permits are Issued
554.106 A Permit is a Legal Document
554.107 Penalties
554.108 Insurance
554.109 For-Hire Moves
554.110 Illinois Motor Vehicle Laws
554.111 General Information
554.112 IDT Registration

SUBPART B: TYPES OF PERMITS

Section
554.201 Permits for Single Trip Movements
554.202 Permits for Round Trips
554.203 Permits for Repeated Moves of Like Objects
554.204 Permits for Limited Continuous Operation
554.205 Permits for Repeated Moves Directly Across a Highway
554.206 Permits for the Movement of Overweight 2-Axle Truck Loaded With Sweet Corn, Soybeans, Corn, Wheat, Milo, or other small grains and Ensilage
554.207 Permits for the Movement of Construction Equipment within a Construction Zone
554.208 Supplemental Permits
554.209 Scope: Duty of Permittee to Read Permit Upon Receipt
554.210 Extension of Permits
554.211 Revision of Permits
554.212 Fraudulent Permit

SUBPART C: ISSUANCE OF PERMITS

Section
554.301 Transmission Media
554.302 Original Transmission Only is Valid as Permit (Repealed)
554.303 When Permits Are Issued
554.304 Permit Office

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

554.305	District Offices
554.306	Method of Application
554.307	Data Needed on Application
554.308	Responsibilities of the Department in Analysis of Applications
554.309	Preliminary Application for Estimating Purposes for Proposed Moves
554.310	Procedure Following Arrest For Violation
554.311	Subsequent Permits Following a Violation
554.312	Permits for Moves Over Toll Highways
554.313	Permits for Moves Over Local Roads
554.314	Moves Upon Structures Located on a Local Street or Highway Spanning an Interstate or Controlled Access Highway

SUBPART D: GENERAL CONDITIONS AND PROVISIONS

Section	
554.401	Conditions and Restrictions
554.402	Short Form Permits
554.403	Form BT 993
554.404	When Placemen are Required (Repealed)
554.405	Qualifications for Placemen (Repealed)
554.406	Duty of Placeman (Repealed)
554.407	When Escort Vehicles are Required
554.408	Requirements for Civilian Escorts
554.409	Mobile Homes
554.410	Overdimension
554.411	Overweight Moves
554.412	Axle Suspension for Legal Weight Moves
554.413	Axle Suspension for Overweight Moves
554.414	Buildings
554.415	Farm Tractors Prohibited as Towing Vehicle
554.416	Double-Bottom Units
554.417	Flags
554.418	Rotating or Flashing Amber Lights
554.419	Overize Load Signs
554.420	General Speed Limits for Permit Movements
554.421	Moves in Convoys Prohibited
554.422	When Moves May be Made
554.423	Moves Over Posted Load Roads and Bridges
554.424	Time Limits
554.425	Deviation from Authorized Routes
554.426	Permit Must be Carried with the Move
554.427	Closure of Highway for Permit Movement
554.428	Right-of-Way During Movement
554.429	Legal Height Movements

SUBPART E: OVERDIMENSION VEHICLES AND LOADS

Section

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

554.501	Scope
554.502	Legal Dimensions
554.503	Exceptions to Legal Limitations
554.504	Overwidth up to 14 Feet 6 Inches Wide
554.505	Width Exceeding 14 Feet 6 Inches
554.506	Horizontal Clearances
554.507	Overlength
554.508	Overheight
554.509	Maximum Size Mobile Home, Modular Home, or Oversize Storage Building
554.510	Mobile Home Frames
554.511	Buildings
554.512	Size of Building that may be Moved
554.513	Distances Buildings May be Moved
554.514	When Work is Required on Highway
554.515	Overhead Clearances
554.516	Routes upon Which Buildings may be Moved
554.517	Conditions Applicable to Building Moves
554.518	Building Sections

SUBPART F: OVERWEIGHT VEHICLES AND LOADS

Section	
554.601	Scope
554.602	Legal Weights
554.603	Exceptions to Legal Weights
554.604	Practical Maximum Weights
554.605	Moves in Excess of Practical Maximums
554.606	Maximum Weight on Chicago Expressways
554.607	Movement to a Designated Scale
554.608	Status of Permittee While Enroute to the Scale
554.609	Movement of Off-Road Overweight Equipment
554.610	Movement of Exceptionally Large Equipment

SUBPART G: SPECIFIC POLICIES

Section	
554.701	Scope
554.702	Data Required
554.703	Changes in Traffic Conditions
554.704	Aircraft
554.705	Disabled Vehicles
554.706	Implementations of Husbandry
554.707	Road Testing of Vehicles or Equipment
554.708	Secret Files
554.709	Government Moves by Commercial Carriers
554.710	Military Moves by Service Personnel

SUBPART H: EMERGENCIES AND HAZARDOUS MATERIALS

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Section

General
554.801 Mobile Home Emergency Moves
554.802 Railroad Derailment Emergency Moves
554.803 Railroad Derailment Emergency Moves
554.804 Radioactive Materials
554.805 Toxic, Gaseous, and Highly Explosive Materials
554.806 Livestock

SUBPART I: FEES

Section

554.901 Remittance
554.902 Exemptions to the Requirement of Payment of Fees
554.903 Bonded Charge Accounts
554.904 Refunds
554.905 Security Requirements
554.906 Basis for Fees
554.907 Supplemental Permit Fees
554.908 Service Charge for Special Handling
554.909 Fees for Buildings and Special Moves
554.910 Fees for Engineering Inspections and Investigations
554.911 Fees for Illinois State Police Escorts
554.912 Special Categories of Fees (Repealed)
554.913 Other Overweight Fees (Repealed)
554.914 Fees for Round Trip and Repeat Move of Like Object Permits (Repealed)
554.915 Fee Schedules (Tables 1, 2, and 3) (Repealed)

APPENDIX A

Data Relative to Vehicles Authorized to Operate on Illinois Highways (Repealed)

APPENDIX B

Technical Design of Vehicles and Combinations of Vehicles Authorized by Section 15-111, Illinois Vehicle Code (Repealed)

APPENDIX C

Application for Permit to Transport Special Vehicle (Repealed)

APPENDIX D

Special Vehicle Movement Permit - Form BT 993 (Repealed)

APPENDIX E

Form BT 750 (Repealed)

APPENDIX F

Form BT 751 (Repealed)

APPENDIX G

Application for Establishment of an Open Account with the Permit Section, Bureau of Traffic (Form BT 1932) (Repealed)

APPENDIX H

Bond for Payment of Special Permit Fees and Charges to Illinois Department of Transportation for Movement of Vehicles of Excess Dimensions or Weight Over Illinois Highways (Form BT 1931) (Repealed)

AUTHORITY: Implementing and authorized by Article III of the Illinois Size and Weight Law (625 ILCS 5/Ch. 15, Art. III).

SOURCE: Emergency rules adopted at 4 Ill. Reg. 2, p. 256, effective January 1, 1980, for a maximum of 150 days; adopted at 4 Ill. Reg. 24, p. 586, effective May 29, 1980; codified at 7 Ill. Reg. 9672; amended at 11 Ill. Reg. 3248,

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effective February 3, 1987; amended at 12 Ill. Reg. 13232, effective July 29, 1988; amended at 20 Ill. Reg. 2565, effective January 25, 1996; amended at 21 Ill. Reg. _____, effective _____.

SUBPART C: ISSUANCE OF PERMITS

Section 554.302 Original Transmission Only is Valid as Permit (Repealed)

Only the original message is valid as a permit. Conditions of permits issued by telephone must be written in full by the permittee on the appropriate portion of the Department form as directed by the permit writer at the time of issuance. Copies or retransmissions of a written permit message to other locations are prohibited and do not constitute valid permits.

(Source: Repealed at 21 Ill. Reg. _____, effective _____.)

Section 554.311 Subsequent Permits Following a Violation

The permit to continue a move following a violation will be withheld until:

a) the Permit Office has received clearance from the police agency making the arrest that the load may proceed.

b) All fees or fee adjustments have been paid or charged to the appropriate account.

c) Existing a conviction for a third offense within a one year period, the Department shall not issue permits to the person, firm, or corporation for a period of one year after the date of the conviction for such third offense (see 625 ILCS 5/15-301(1)).

(Source: Amended at 21 Ill. Reg. _____, effective _____.)

Section 554.407 When Escort Vehicles Are Required

a) One civilian escort vehicle is required:

- 1) For all moves that exceed 14 feet 6 inches in width;
 - 2) For all moves that exceed 110 feet in length;
 - 3) For all moves that exceed 14 feet 6 inches in height;
 - 4) For any move either across, upon, or along a highway when additional warning is required to alert the traveling public.
- For instance, if a movement is required to travel during darkness or on a weekend to respond to an emergency situation, a civilian escort will be required.

b) Two civilian escort vehicles are required:

- 1) For all moves that exceed 15 feet in width or
- 2) For all moves that exceed 16 feet in height; or
- 3) For all moves that exceed both 14 feet 6 inches in width and 14 feet 6 inches in height.

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- c) Three civilian escorts are required:
- 1) For all moves that exceed 16 feet in width;
 - 2) For all moves that exceed 145 feet in length;
 - 3) For all towed special haul rigs more than 150 feet in length.
- d) Illinois State Police Escorts
- 1) Illinois State Police escorts are required:
 - A) For moves greater than 18 feet wide;
 - B) For moves of greater than 175 feet in length;
 - C) For moves over 18 feet high;
 - D) For overweight moves where bridge restrictions require that all traffic be kept off of a structure while the permitted vehicle crosses; or
 - E) For any move of an unusual nature where additional traffic control is necessary to alert the motoring public to the Permit movement.
 - 2) These escorts will normally be made partially or entirely outside a municipality. The permittee must make all arrangements with the designated State Police Headquarters at least 24 hours prior to the move. The Permit Office may determine a State Police escort is not necessary in some instances including but not limited to the following:
 - A) on moves made within a municipality if local police are utilized as specified in Section 554.407(d);
 - B) on movements where the object will only cross a State highway and minimal disruption of traffic is anticipated; or
 - C) on moves over 18 feet high if a field investigation reveals there are not any overhead obstructions.
 - e) Local police escorts may be required in lieu of State Police escorts when the move is made entirely within the limits of a city or county. It is the responsibility of the permittee to make all arrangements with the local police when the permit specifies such an escort as a condition of the permit.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 554.501 Scope

- a) Permits may be issued for overdimension objects and vehicles if they have been reasonably disassembled. Objects must be loaded within legal dimensions, if at all possible. Multiple objects, loaded side-by-side, end-to-end, or on top of each other, may not cause the overdimension. However, more than one overdimension object may be transported if it does not result in another dimension that exceeds legal limits.
- b) Permits to move empty overdimension vehicles may be obtained, but these vehicles may not normally be used to transport legal size loads. Consideration will be given to the movement of a legal size object

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requiring a special carriage that results in an oversize vehicle. An overdimension vehicle may be used to transport an overdimension object.

c) Permits will not be issued for empty or loaded double-bottom units that exceed legal maximum size or weights.

- d) Nondismissible loads.
- 1) Permit loads are deemed to be reasonably dismantled (nondismissible) when separated into smaller loads of vehicles when further dismantling would:
 - A) Compromise the intended use of the load or vehicle; that is, make it unable to perform the function for which it was intended;
 - B) Destroy the value of the load or vehicle; that is, make it unusable for its intended purpose;
 - C) Require more than 8 work hours to dismantle using appropriate equipment. The applicant for a nondismissible load has the burden of proof as to the number of workhours required to dismantle the load.
 - 2) The Department may treat emergency response vehicles and casks designed and used for the transport of spent nuclear materials as nondismissible vehicles or loads [see 23 CFR 658.5].

(Source: Amended at 21 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Acquisition, Management and Disposal of Real Property
- 2) Code Citation: 44 Ill. Adm. Code 5000
- 3) Section Number: Adopted Action:
5000.400 Amend
5000.430 Amend
5000.950 Amend
5000. Appendix B Amend
- 4) Statutory Authority: Implementing and authorized by Section 67.24 of the Civil Administrative Code of Illinois (20 ILCS 405/67.24)
- 5) Effective Date of Rules: November 7, 1996
- 6) Does this rulemaking contain an automatic renewal date? No
- 7) Do the Rules contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: November 7, 1996
- 9) Notice of Proposal Published in Illinois Register: November 13, 1995, 19 Ill. Reg. 15294
- 10) Has JCAR issued a Statement of Objections to the Amendments? No
- 11) Differences between Proposal and final version:

Section 5000.400 - updated names and addresses of buildings.

Section 5000.950 - deleted new language "shall be set by the Building Manager and made available to the public" and left in current language. Also, deleted the "at least ten (10) working day" provision in several subsections and provided that all leasing arrangements will be confirmed by the JCRC Office of the Building and that confirmation shall be by letter, fax or telephone call, a copy of which will be maintained by the Office of the Building. Also deleted "except in cases of emergencies, at the SOIC Office of the Building".

Section 5000. Appendix B is being amended, not repealed.

Several minor editing changes were made.

- 12) Have all the changes agreed upon by the agency and JCRC been made as indicated in the agreement letter issued by JCRC? Yes
- 13) Will the Rules replace an emergency rule currently in effect? No

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- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rules: The amendment to Section 5000.950 deletes the "at least ten (10) working day" provision in several subsections and provides that all leasing arrangements will be confirmed by the JCRC Office of the Building. The other amendments are to correct errors found by the IAC database publishers.
- 16) Information and questions regarding this adopted rule shall be directed to:

Stephen W. Seiple
720 Stratton Office Building
Springfield, IL 62706
(217)782-9669
TDD (217)785-3979

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT AND

PROPERTY MANAGEMENT

SUBTITLE D: PROPERTY MANAGEMENT

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 5000

ACQUISITION, MANAGEMENT AND DISPOSAL OF REAL PROPERTY

SUBPART A: GENERAL

Section
5000.100 Authority
5000.110 Policy
5000.120 Applicability

SUBPART B: LEASED SPACE ACQUISITION POLICY

Section
5000.200 General Policy and Responsibility
5000.210 Requests for Space/Agency Responsibilities
5000.220 Acquisition Authority
5000.230 Acquisition Procedures
5000.240 Lease Administration
5000.250 Emergency Lease Procurement

SUBPART C: BUILDING STANDARDS

Section
5000.300 Scope
5000.310 Area Measurement
5000.320 Space Planning Assistance
5000.330 Open Space
5000.340 Space Allowance and Standards
5000.350 Office Furnishing
5000.360 Handicapped Accessibility
5000.370 Vending Facilities/Blind Operators
5000.380 Improvements

SUBPART D: ASSIGNMENT AND MANAGEMENT OF SPACE

Section
5000.400 Assignment and Management by DOMS
5000.410 Assignment by Agencies
5000.420 Reviews and Appeal of Space Assignment Actions
5000.430 Services Provided
5000.440 Alterations
5000.450 Local Requirements

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SUBPART E: UTILIZATION OF SPACE

(STATE-OWNED AND LEASED PROPERTIES)

Section
5000.500 Space Inspections and Surveys
5000.510 Responsibility of Agencies
5000.520 Release of Space Not Fully Utilized
5000.530 Notice to DOMS of Relinquishment or Termination of Space

SUBPART F: EXCESS REAL PROPERTY

Section
5000.600 Excess Real Property Defined
5000.610 Requests for Excess Real Property
5000.620 Utilization of Excess Real Property
5000.630 Charges for Use of Excess Property
5000.640 Temporary Occupancy
5000.650 Disputes
5000.660 Non-State Use

SUBPART G: SURPLUS REAL PROPERTY

Section
5000.700 Surplus Real Property Defined
5000.710 Declaration of Surplus
5000.720 Reporting Surplus Real Property
5000.730 Notice of Availability to State Agencies
5000.740 State Agency Requests for Surplus Real Property
5000.750 Transfer Decisions
5000.760 Transfer Procedures
5000.770 Transfer to Department of Central Management Services
5000.780 Subsequent Disposal
5000.790 Sale of Surplus
5000.800 Notice of Sale to Local Governments
5000.810 Local Government Offer to Purchase
5000.820 Public Sale
5000.830 Public Sale Procedures
5000.840 Non-State Interim Use

SUBPART H: USE OF OFFICE BUILDING

Section
5000.900 Applicability
5000.910 Definitions
5000.920 Business Hours and Public Access
5000.930 Prohibited Activities
5000.940 Demonstrations
5000.950 Exhibits and Special Events

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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5000.960 Distribution of Leaflets and Solicitations of Funds, Voter Registration and Signatures
5000.970 Severability

APPENDIX A Space Standards
APPENDIX B Rental Fees

AUTHORITY: Implementing Section 7.1 of the State Property Control Act (30 ILCS 605/7.1), implementing and authorized by Sections 31, 67.02, 67.06, 67.07, 67.22 and 67.24 of the Civil Administrative Code of Illinois (20 ILCS 5/31 and 20 ILCS 405/67.02, 67.06, 67.07, 67.22 and 67.24) and authorized by Section 6 of the State Property Control Act (30 ILCS 605/6).

SOURCE: Adopted at 6 Ill. Reg. 12984, effective October 13, 1982; emergency amendment at 7 Ill. Reg. 3713, effective March 18, 1983; for a maximum of 150 days; amended at 7 Ill. Reg. 7825, effective June 22, 1983; emergency amendment at 8 Ill. Reg. 13444, effective July 17, 1984 for a maximum of 150 days; codified at 8 Ill. Reg. 19145; amended at 10 Ill. Reg. 636, effective December 31, 1985; amended at 17 Ill. Reg. 1005, effective January 19, 1993; emergency amendment at 17 Ill. Reg. 2361, effective February 5, 1993; for a maximum of 150 days; amended at 17 Ill. Reg. 10753, effective July 1, 1993; amended at 18 Ill. Reg. 1886, effective January 21, 1994; emergency amendment at 17 Ill. Reg. 15653, effective September 9, 1993, for a maximum of 150 days; amended at 19 Ill. Reg. 585, effective January 9, 1995; amended at 20 Ill. Reg. **15002**, effective _____.

SUBPART D: ASSIGNMENT AND MANAGEMENT OF SPACE

Section 5000.400 Assignment and Management by DONS

a) DONS will perform all functions with respect to the assignment and reassignment of space and management there in the following buildings and any others transferred to DONS or placed under the control of DONS.

- 1) Peoria Regional Office Building
5415 North University
Peoria, Illinois 61614
- 2) Springfield Regional Office Building
4500 South 6th Street
Springfield, Illinois 62703
- 3) Champaign Regional Office Building
2125 South 1st Street
Champaign, Illinois 61820
- 4) Illinois State Armory Building
- 1) Peoria Regional Office Building
5415 North University
Peoria, Illinois 61614
- 2) Springfield Regional Office Building
4500 South 6th Street
Springfield, Illinois 62703
- 3) Champaign Regional Office Building
2125 South 1st Street
Champaign, Illinois 61820
- 4) Illinois State Armory Building

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124 East Adams
Springfield, Illinois 62706

5) Marion Regional Office Building
2309 989 West Main Street
Marion, Illinois 62959

6) Mt. Vernon Regional Office Building
601 North 18th Street
Mt. Vernon, Illinois 62664

6)7) Kenneth Hall East-St. Louis Regional State Office Building
#10 Collinsville Avenue
East St. Louis, Illinois 62201

7)8) Rockford Regional Office Building
4402 North Main Street
P. O. Box 915
Rockford, Illinois 61105

8) E.J. "Zeke" Giorgi Center
200 South Wyman
Rockford, Illinois 61101

9) State of Illinois Building
160 North LaSalle
Chicago, Illinois 60601

10) Office and Laboratory Building
2121 West Taylor Street
Chicago, Illinois 60602

11) Central Computer Facility
201 West Adams
Springfield, Illinois 62706

12) Maryville Children's Center
Maryville, Illinois 62662

12)13) Elgin Office Building
595 South State Street
Elgin, Illinois 60120

13)14) James B. Thompson Center or JBTC State-of-Illinois-Center
100 West Randolph Boulevard-by Baker, Clark-Randolph
and-Satellite Streets
Chicago, Illinois 60601

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14) Suburban North Regional Building
9511 Harison
Des Plaines, Illinois 60017

15) The Ash Street Complex
Elventh and Ash
Springfield, Illinois 62703

16) Effingham Regional Office Building
401 Industrial Drive
Effingham, Illinois 62401

- b) DCMs may, in accordance with 20 ILCS 405/67.22 ftt-Rev--Stat--1981r chr--227, par--69a31-22, and after consultation with the agencies affected, assign and reassign space in the above buildings after determining that such assignment or reassignment is advantageous to the State in terms of economy, efficiency, or security.

(Source: Amended at 20 Ill. Reg. 15-0-2, effective
Nov. 17, 1995)

Section 5000.430 Services Provided

In all buildings listed in Section 5000.400 4-9 the following services are generally provided. Variations from the lists will be noted to the occupying agency.

a) Provided:

- 1) Heat for comfortable occupancy during normal business hours, 8 a.m. to 6 p.m.
- 2) Cleaning of leased and public spaces and removal of waste paper. This will normally be done nightly, Monday thru Friday, unless the Department of Central Management Services should determine that less frequent cleaning and removal of waste paper is satisfactory.
- 3) Electricity for lighting and ordinary office machines and for such air conditioning machines as are connected to the building's circuits on January 1, 1982, and such additional air conditioning capacity as may be approved by the Department of Central Management Services.
- 4) Elevator service.
- 5) Window washing.
- 6) Hot and cold running water through thru existing pipes.
- 7) Window shades.
- 8) Original and replacement supply of incandescent light bulbs and labor to replace same when burned out for building light fixtures, but not for floor or desk lamps.
- 9) Labor to replace fluorescent tubes and starters in building light fixtures. Fluorescent tubes (except those of non-standard size and design) and starters will be provided.

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- 10) Venetian blinds cleaning when spaces are decorated.
- 11) Public toilet facilities, including soap, toilet tissue, paper towels or hand dryers efers.

- b) Not provided:
- 1) Lettering of doors and windows (but all lettering and signs on doors or windows) must be approved by DCMs.
 - 2) Furnishing of venetian blinds where they do not now exist.
 - 3) Carpets, rugs, or repairs thereto.
 - 4) Repairs to asphalt tile flooring or other floor covering except in emergency.
 - 5) Furniture or furniture repairs.
 - 6) Alterations or changes to the building or the electrical, plumbing or ventilating systems or mechanical equipment.
 - 7) Air conditioning or electricity or water to operate any air conditioning equipment in excess of the equipment in operation on January 1, 1982.
 - 8) Window ventilators and brackets for same.
 - 9) Repair of fluorescent light fixtures or replacements of burned out ballasts.
 - 10) Furnishing, cleaning or repairing desk lamps and fans.
 - 11) Building of shelves.
 - 12) Painting of offices.

(Source: Amended at 20 Ill. Reg. 15-0-2, effective
Nov. 17, 1995)

Section 5000.950 Exhibits and Special Events

- a) All organizations that are permitted to use the buildings specified in Section 5000.900 of this Subpart shall be required to execute an agreement to indemnify the State from any injury or damage caused by their members' or participants' negligence or willful misconduct. The members or participants who cause the damage or injury are primarily responsible. Such organization shall also restore the used areas to their pre-use appearance and condition, less reasonable wear and tear, and the Building Manager shall be the final decision-maker on the clean-up of the used area. This subsection only applies to those organizations receiving permission from the Department to use the specified buildings for meetings or parties.
- b) Special Events and exhibits at the buildings may be requested up to one year in advance of the date for the special event or exhibits. Requests must be in writing and submitted to the Building Manager. All requests for special events and exhibits will be filled on a first-come first-served basis. A letter of confirmation or rejection will be mailed within ten (10) working days.
- c) The areas available for Special Events at the JMC 894e are the concourse level, atrium level, assembly hall, outdoor plaza and covered arcade, conference/hearing rooms and agency office areas with

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special security or insurance. These must be provided by the exhibitor. The State accepts no responsibility for loss or damage to any part of an exhibit.

(Source: Amended 7/1995 20 Ill. Reg. **15002**, effective

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permission of the agency. Exhibits are allowed only in the atrium lobby level of the JRTC S09E unless permission is granted to use another part of the building by the Department. Exhibits may not promote religious philosophies or political candidates or philosophies.

- d) Organizations wishing to use the buildings should contact the Building Manager for the applicable fee for the space they intend to use at a building. Minimum and maximum rental fee ranges and conditions for the James R. Thompson State-of-Illinois Center and all other Department facilities are in Appendix B of this Part. An increase/reduction from the minimum/maximum rental rate may be required or granted, based on the following factors: whether the scheduled event is conducted during government business hours or with another event; relative anticipated safety considerations of the scheduled activity; and market prices for competing facilities in the nearby metropolitan area(s). The Building Manager or office will maintain a fee schedule for the building. All payments are due at least-ten-~~ten~~-working-days prior to the event or exhibit, with the exception of clean-up fees which are due within ten (10) working days of billing. All payments shall be made to the Office of the Building.
- e) Film crews and photographers for commercial purposes are permitted at the JRTC S09E with permission of the Building Manager.

- f) The group sponsoring the event must provide an insurance binder or assurances on the letterhead of the Building Manager for the scheduled event and anticipated attendance of one million dollars to the Department at least-ten-~~ten~~-working-days prior to the event. Failure to provide proof is cause for termination of the lease. Further information on any insurance requirement is available from the Building Manager.

- g) A signed copy of the lease agreement at the JRTC S09E with the base rental fee is due at least-ten-~~ten~~-working-days prior to the event except in cases of emergencies at the S09E office of the Building. All leasing arrangements shall be confirmed by the JRTC Office. Confirmation shall be by letter, fax or telephone call, a copy of which will be maintained by the Office.

- h) A minimum of one planning meeting must be held with the Building Manager or the Manager's representative at least one week prior to the event.

- i) All food and beverage services for JRTC S09E special events must be provided in accordance with the terms of the Department's commercial space master lease. Further information is available from the Office of the Building. Food and beverage service at other buildings must be coordinated with the Building Manager.

- j) Displays may not exceed 8 feet in height or block entrances, fire exits and hallways and must comply with all fire code and regulations. They may not obscure the view of Atrium Mall shops at the JRTC S09E during business hours.

- k) The State does not supply equipment, set-up personnel, storage,

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Section 5000 APPENDIX B Rental Fees

RENTAL RATES
JAMES R. THOMPSON CENTER
STATE-OF-ILLINOIS-CENTER-AT-CHICAGO
FOR
GOVERNMENTAL/CHARITABLE TAX EXEMPT ORGANIZATIONS

CONCOURSE LEVELS:

Base Rent: \$1,100.00/1,265.00 minimum/for 250 people or less.
Additional charge: A \$1.50/\$1.65 charge for each person over 250 attending the event.
Hours: 6:00 p.m. to 1:00 a.m. Monday through Friday. All day to 1:00 a.m. on weekends and holidays.
Set-up/Take-down: A three hour set-up and a three hour take-down period is allowed at no extra charge.

ASSEMBLY HALL: (600 Seat Capacity)

Base Rent: 8:00 a.m. to 1:00 a.m. - \$150.00/hr.
(2 hour minimum) or \$400.00/\$460.00 per day. Mon - Fri
Set-up/Take-down A one hour set-up period and a one hour take-down period is allowed at no extra charge.
WEEKENDS: \$400.00/\$460.00

EQUIPMENT RENTAL RATES:

3/4" overhead video projector \$ 75.00
35 mm. slide projector \$ 50.00
Overhead projector \$ 50.00
Piano (baby grand) \$100.00
Portable video/monitor \$ 75.00

CONFERENCE/HEARING ROOMS:

Hearing Room 9-040, 2-075 Capacity 115
Half day - (4 hours or less) \$100.00/\$115.00
6:00 p.m. - 1:00 a.m. \$200.00/\$230.00

Conference Rooms:

9-031 and 9-036 Capacity/\$36-47
Half day - (4 hours or less) \$ 50.00/\$75.00

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\$100.00/\$150.00

6:00 p.m. - 1:00 a.m.

Capacity 17-24

Conference Rooms:
8-031, 8-032
and 8-033
9-034, 9-035
and 9-039

Half day (4 hours or less)

6:00 p.m. - 1:00 a.m.

Base Rent: \$250.00/\$287.00

Hours: 8:00 a.m. - 1:00 a.m.

DISPLAYS/EXHIBITS/INFORMATION BOOTHS:

There is no charge for governmental or tax exempt organizations for setting up displays, exhibits or information booths concerning items of general public interest. These can be scheduled through the Special Events Coordinator.

RENTAL RATES

JAMES R. THOMPSON CENTER
STATE-OF-ILLINOIS-CENTER-AT-CHICAGO
FOR
PROFESSIONAL ASSOCIATIONS

CONCOURSE LEVELS:

Base Rent: \$1,500.00/\$1,650.00 minimum/for 250 people or less.
Additional charge: A \$1.50/\$1.72 charge for each person over 250 attending the event.

Hours:

6:00 p.m. to 1:00 a.m. Monday through Friday.
All day to 1:00 a.m. on weekends and holidays.

Set-up/Take-down:

A three hour set-up and a three hour take-down period is allowed at no extra charge.

ASSEMBLY HALL: (600 Seat Capacity)

Base Rent: 8:00 a.m. to 1:00 a.m. - \$150.00/\$172.50 hr. (2 hour minimum) or \$500.00/\$575.00 per day. Mon - Fri
Set-up/Take-down A one hour set-up period and a one hour take-down period is allowed at no extra charge.
WEEKENDS: \$500.00/\$575.00

EQUIPMENT RENTAL RATES:

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3/4" overhead video projector \$ 75.00
 35 mm. slide projector \$ 50.00
 Overhead projector \$ 50.00
 Piano (baby grand) \$100.00
 Portable video/monitor \$ 75.00

CONFERENCE/HEARING ROOMS:

Hearing Room 9-040, 2-025 Capacity 115
 Half day - (4 hours or less) \$100.00/\$115.00
 6:00 p.m. - 1:00 a.m. \$200.00/\$230.00

Conference Rooms:

9-031 and 9-036 Capacity 36-47
 Half day - (4 hours or less) \$ 50.00/\$57.50
 6:00 p.m. - 1:00 a.m. \$100.00/\$115.00

Conference Rooms:

8-031, 8-032 and 8-033 Capacity 17-24
 9-034, 9-035 Half day (4 hours or less) \$25.00/\$26.25
 and 9-039 6:00 p.m. - 1:00 a.m. \$50.00/\$57.50

OUTDOOR PLAZA:

Base Rent: \$250.00/\$287.00
 Hours: 8:00 a.m. - 1:00 a.m.

RENTAL RATES

JAMES R. HOGAN CENTER
 SPACE-ONLY, NO FOOD, BEVERAGE
 PRIVATE/CORPORATE ORGANIZATIONS

CONCOURSE LEVELS:

Base Rent: \$1,950.00/\$2,242.50 minimum/for 250 people or less.
 Additional charge: \$1.50/\$1.72 charge for each person over 250 attending the event.

Hours: 6:00 p.m. to 1:00 a.m. Monday through Friday. All day to 1:00 a.m. on weekends and holidays.

Set-up/Take-down:

A three hour set-up and a three hour take-down period is allowed at no extra charge.

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ASSEMBLY HALL: (600 Seat Capacity)
 (2 hour minimum)
 Base Rent: 8:00 a.m. to 5:00 p.m.--\$150.00/\$165.00 hr.-Max
 Monday-Friday: \$750.00/\$862.50
 5:00 p.m. to 1:00 a.m.--\$150.00/\$165.00 hr.-Max
 Monday-Friday: \$750.00/\$862.50
 Weekends/Holidays: 8:00 a.m. to 1:00 a.m.--\$250.00/\$287.50 hr.-Max
 \$1,250.00/\$1437.50
 Set-up/Take-down: A one hour set-up period and a one hour take-down period is allowed at no extra charge.

Note: There is a 2 hour minimum rental rate.

EQUIPMENT RENTAL RATES:

3/4" overhead video projector \$ 75.00
 35 mm. slide projector \$ 50.00
 Overhead projector \$ 50.00
 Piano (baby grand) \$100.00
 Portable video/monitor \$ 75.00

CONFERENCE/HEARING ROOMS:

Hearing Room 9-040, 2-025 Capacity 115
 Half day - 4 hours or less \$125.00/\$143.75
 6:00 p.m. - 1:00 a.m. \$225.00/\$258.75

Conference Rooms:

9-031 and 9-036 Capacity 36-47
 Half day-(4 hours or less) \$ 75.00/\$86.25
 6:00 p.m.-1:00 a.m. \$125.00/\$143.75

Conference Rooms:

8-031, 8-032 and 8-033 Capacity 17-24
 9-034, 9-035 Half day (four hours or less) \$50.00/\$57.50
 and 9-039 6:00 p.m. - 1:00 a.m. \$75.00/\$86.25

OUTDOOR PLAZA:

Base Rent: \$750.00/\$862.50
 Hours: 8:00 a.m. - 1:00 a.m.

DISPLAYS, EXHIBITS, PRODUCT INFORMATION BOOTHS:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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Maximum period

of display:

Base Rent:

2 weeks.

Rate range is based on size and complexity of

exhibit; rate: \$250.00/\$287.50 day.

Minimum:

Half days pro-rated.

Fee includes electricity if displays are lighted.

FEE SCHEDULE

STATE BUILDINGS

PRIVATE/CORPORATE:

Auditorium

Dining Room and/or Patio**

Large Conference Room

Small Conference Room

\$50.00/\$57.50 per hour/\$300.00/\$345.00

maximum

\$25.00/\$28.75 per hour/\$125.00/\$143.75

maximum

STATE AGENCIES:

Auditorium

Dining Room and/or

Patio

Large Conference

Room

Small Conference

Room

No charge

EQUIPMENT AVAILABLE:

Overhead Projector (2)

52" TV & VCR

35mm Slide Projector

55 Cup Coffee Maker (2)

\$10.00

\$10.00

\$10.00

No Charge

User supplies full coffee service

All equipment must be returned in same condition received.

State agencies are not charged for equipment use.

**Additional \$100.00/\$115.00 fee for this space when attendance exceeds 200.

CLEANING

All after hours user groups will be charged a cleaning fee based on attendance, should the condition of the space used require it.

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Under 100

\$25.00/\$28.75

Between 100-200

\$50.00/\$57.50

Over 200

\$75.00/\$86.25

PROCEDURES AND REGULATIONS

A tentative hold may be placed on space via telephone.

Permanent hold on space must be done by letter of request from user group.

All non-State user groups must show proof of one million dollar liability insurance for after hours events.

EVENT HOURS:

Monday - Friday:

5:00 p.m. - 1:00 a.m.

Saturday & Sunday:

8:00 a.m. - 1:00 a.m.

FINALIZING EVENT:

Meeting between building staff and user group to take place 1 month prior to event.

Signed contract, certificate of insurance, and check for full amount due 2 weeks prior to event.

(Source: Amended, At 20 Ill. Reg. 15002, effective

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- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Number:
 310.230 Adopted Action:
 Amended
 310.440 Amended
 310.450 Amended
 310.456 Repealed
 310.480 Amended
 310.500 Amended
 310.530 Amended
 310.540 Amended
 310. Appendix C Amended
 310. Appendix D Amended
 310. Appendix G Amended
- 4) Statutory Authority: Authorized by Section 8 and 8a of the Personnel Code [20 ICES 415/8 and 8a].
- 5) Effective Date of Amendment: November 7, 1996
- 6) Does this rulemaking contain an automatic renewal date? No
- 7) Does this amendment contain incorporation by reference? No. These amendments do not contain any incorporations by reference.
- 8) Date filed in Agency's Principal Office: November 7, 1996
- 9) Notice of Proposal Published in Illinois Register: July 26, 1996, Issue #30, 20 Ill. Reg. 9777
- 10) Has JCARR issued a Statement of Objections to this rule? No
- 11) Difference between proposal and final version: There were no changes in the proposed text and final version of this rulemaking.
- 12) Have all the changes aired upon by the agency and JCARR been made as indicated in the agreement letter issued by JCARR? Yes
- 13) Will these amendments replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending to this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
310.100	Amended	20 Ill. Reg. 13102

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

- | | | |
|----------------------|---------|---------------------|
| 310.270 | Amended | (October 11, 1996) |
| 310.280 | Amended | 20 Ill. Reg. 13102 |
| 310.290 | Amended | (October 11, 1996) |
| 310. App. A, Table D | Amended | 20 Ill. Reg. 13102 |
| 310. App. A, Table J | Amended | (October 11, 1996) |
| 310.230 | Amended | 20 Ill. Reg. 13102 |
| | | (October 11, 1996) |
| | | (November __, 1996) |

15) Summary and Purpose of Amendment:

In Section 310.290, Out-of-State or Foreign Service Rate, the salary ranges for the Foreign Service and Merit Compensation out-of-state titles were revised to reflect the 3% increase for Merit Compensation titles.

In Section 310.440, Merit Compensation Salary Schedule, the reference to the "Merit Pay Zone" was deleted.

In Section 310.450, Procedures for Determining Annual Merit Increases, within subsection d), the reference to "Category 5" was deleted since there are only four categories in the Annual Merit Increase Guidechart (Section 310.540).

Section 310.456, Merit Zone, was repealed since the "Merit Pay Zone Limit" in the Merit Compensation System Salary Schedule was eliminated.

In Sections 310.480 and 310.500, the revisions made to these Sections were in reference to the elimination of the "Merit Pay Zone Limit" in the Merit Compensation System Salary Schedule.

Section 310.530, Implementation, the dates were revised to reflect the new fiscal year.

In Section 310.540, Annual Merit Increase Guidechart, the new Merit Compensation guidechart was revised to reflect four categories with the definitions being "exceptional", "accomplished", "acceptable" and "unacceptable", and to reflect changes in the allowable amounts of salary increases for the level of performance.

In Section 310. Appendices C and D, the Medical Administrator Rates and the Merit Compensation System Salary Schedule, the salary ranges for those employees subject to the Merit Compensation section of the Pay Plan were increased by 3% for Fiscal Year 1997. The "Merit Pay Zone Limit" was

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

eliminated.

In Section 310. Appendix G, Broad-Band Pay Range Classes Salary Schedule, the salary ranges were revised by 3% for Fiscal Year 1997.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Mr. Michael Murphy
Department of Central Management Services
Division of Technical Services
504 William G. Stratton Building
Springfield, Illinois 62706
Telephone: (217) 782-5601

The full text of the Adopted Amendment(s) begins on the next page:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYERS
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section	Policy and Responsibilities
310.20	Jurisdiction
310.30	Pay Schedules
310.40	Definitions
310.50	Conversion of Base Salary to Pay Period Units
310.60	Conversion of Base Salary to Daily or Hourly Equivalents
310.70	Increases in Pay
310.80	Decreases in Pay
310.90	Other Pay Provisions
310.100	Implementation of Pay Plan Changes for Fiscal Year 1996
310.110	Interpretation and Application of Pay Plan
310.120	Effective Date
310.130	Reinstitution of Within Grade Salary Increases
310.140	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)
310.150	

SUBPART B: SCHEDULE OF RATES

Section	Introduction
310.205	Prevailing Rate
310.210	Negotiated Rate
310.220	Part-time Daily or Hourly Special Services Rate
310.230	Hourly Rate
310.240	Member, Resident and Inmate Rate
310.250	Teacher's Rate
310.260	Legislated and Contracted Rate
310.270	Designated Rate
310.280	Out-of-State or Foreign Service Rate
310.290	Educator Schedule for RC-063 and HR-010
310.300	Physician Specialist Rate
310.310	Annual Compensation Ranges for Executive Director and Assistant
310.320	Executive Director, State Board of Elections
310.330	Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

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Section	Jurisdiction
310.410	Objections
310.420	Responsibilities
310.430	Merit Compensation Salary Schedule
310.440	Procedures for Determining Annual Merit Increases
310.450	Intermittent Merit Increase
310.455	Merit Zone (Repealed)
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.495	Broad-Band Pay Range Classes
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
310.540	Annual Merit Increase Guidechart for Fiscal Year 1996
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

APPENDIX A Negotiated Rates of Pay

TABLE A HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)

TABLE AA	NR-916 (Department of Natural Resources, Teamsters)
TABLE B	HR-200 (Department of Labor - Chicago, Illinois - SEIU)
TABLE C	RC-069 (Firefighters, AFSCME)
TABLE D	HR-001 (Teamsters Local #726)
TABLE E	RC-070 (Teamsters Local #330)
TABLE F	RC-019 (Teamsters Local #25)
TABLE G	RC-045 (Automotive Mechanics, IPPE)
TABLE H	RC-006 (Corrections Employees, AFSCME)
TABLE I	RC-009 (Institutional Employees, AFSCME)
TABLE J	RC-014 (Clerical Employees, AFSCME)
TABLE K	RC-023 (Registered Nurses, INA)
TABLE L	RC-008 (Hoteliers)
TABLE M	RC-110 (Conservation Police Lodge)
TABLE N	RC-010 (Professional Legal Unit, AFSCME)
TABLE O	RC-018 (Paraprofessional Human Services Employees, AFSCME)
TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, AFSCME)
TABLE Q	RC-013 (West Tutors, IPPE)
TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
TABLE S	HR-012 (Pair Employment Practices Employees, SEIU)
TABLE T	HR-010 (Teachers of Deaf, IPPE)
TABLE U	RC-011 (Teachers of Deaf, Extracurricular Paid Activities)
TABLE V	CU-500 (Corrections, West and Confer Employees)
TABLE W	RC-062 (Technical Employees, AFSCME)

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TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
APPENDIX B	Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 1997
APPENDIX C	Medical Administrator Rates for Fiscal Year 1997 1996
APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 1997 1996
APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX G	Broad-Band Pay Range Classes Salary Schedule
AUTHORITY:	Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 41/8 and 8a].
SOURCE:	Filled June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2400, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3148, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 8929, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 13675, effective July 31, 1986; emergency amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 19132, effective October 28, 1986; emergency amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 11111.

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Reg. 618, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8797, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13879, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 18, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment at 11 Ill. Reg. 17191, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 18012, effective November 19, 1987; peremptory amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7781, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10067, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 15, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11130, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 6, 1991; corrected at 14 Ill. Reg. 18089; peremptory amendment at 14 Ill. Reg. 17036, effective September 28, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663,

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effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11086, effective July 1, 1991; amended at 15 Ill. Reg. 12100, effective August 21, 1991; amended at 15 Ill. Reg. 12310, effective September 25, 1991; emergency amendment at 15 Ill. Reg. 12310, effective September 25, 1991; maximum of 150 days; amended at 16 Ill. Reg. 711, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 9, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 29, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 21858, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16515, effective October 28, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 3073, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3456, effective March 7, 1995; amended at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6432, effective May 1, 1995; peremptory amendment at 19 Ill. Reg. 6432, effective May 1, 1995; amended at 19 Ill. Reg. 8150, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 22, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 29, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 29, 1995; emergency amendment at 19 Ill. Reg. 12379, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December

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22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; peremptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. **15018**, effective September 24, 1996.

SUBPART B: SCHEDULE OF RATES

Section 310.290 Out-of-State or Foreign Service Rate

The rate of pay for employees occupying positions which require payment in accordance with the economic conditions and social legislation of another state or foreign country. An adjustment may be made to the salary of an employee stationed in a foreign country to compensate for a change in the currency exchange rate. The Director of the Department of Central Management Services will, before approving an adjustment, consider the needs of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstances.

Title	Range Effective	Pitcock-Year-1996
Foreign-Service-Economic-Development-Executive-I	3161-5645	
Foreign-Service-Economic-Development-Executive-II	4848-7397	
Foreign-Service-Economic-Development-Representative	8686-4839	
Office Administrator-IV	2111-3545	
†States-Other-Than-California and-New-Jersey	2307-4897	
†CAY-NS†	1719-2852	
Office Assistant-(Foreign-Service)		
Office Associate	1039-2447	
†States-Other-Than-California and-New-Jersey	2079-2766	
†CAY-NS†		
Public-Service-Administrator	2031-6089	
†States-Other-Than-California-and-New-Jersey		

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†CAY-NS†	3201-6793
Office-Coordinator	
†States-Other-Than-California and-New-Jersey	1909-2553
†CAY-NS†	2150-2806
Revenue-Auditor-I	
†States-Other-Than-California and-New-Jersey	2601-3609
†CAY-NS†	2941-4079
Revenue-Auditor-II	
†States-Other-Than-California and-New-Jersey	3033-4264
†CAY-NS†	3448-4820
Revenue-Auditor-III	
†States-Other-Than-California and-New-Jersey	3605-4709
†CAY-NS†	4309-5413
Revenue-Auditor-Trainee	
†States-Other-Than-California and-New-Jersey	2160-2943
†CAY-NS†	2451-3327
Revenue-Tax-Specialist-I	
†States-Other-Than-California and-New-Jersey	2160-2943
†CAY-NS†	2451-3327
Revenue-Tax-Specialist-II	
†States-Other-Than-California and-New-Jersey	2371-3259
†CAY-NS†	2601-3694
Revenue-Tax-Specialist-Trainee	
†States-Other-Than-California and-New-Jersey	1903-2673
†CAY-NS†	2241-3021
Senior-Public-Service-Administrator	
†States-Other-Than-California-and-New-Jersey	3901-0901
†CAY-NS†	4410-10862

Title

Effective

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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Fiscal Year 1997

Foreign Service Economic Development Executive I

9161-5645

3256-5814

Foreign Service Economic Development Executive II

4040-7997

4170-7619

Foreign Service Economic Development Representative

2666-4939

2767-4984

Office Administrator IV

(States Other Than California and New Jersey)

(CA, NJ)

2111-3545

2175-3551

2307-4087

2458-4128

Office Assistant (Foreign Service)

1719-2320

Office Associate

(States Other Than California and New Jersey)

(CA, NJ)

1839-2521

2079-2850

Public Service Administrator

(States Other Than California and New Jersey)

(CA, NJ)

2916-6189

3297-6297

Office Coordinator

(States Other Than California and New Jersey)

(CA, NJ)

1909-2630

2158-2973

Revenue Auditor I

(States Other Than California and New Jersey)

(CA, NJ)

2601-3717

2941-4202

Revenue Auditor II

(States Other Than California and New Jersey)

(CA, NJ)

3033-4392

3428-4965

Revenue Auditor III

(States Other Than California and New Jersey)

(CA, NJ)

3685-4932

3709-5576

Revenue Auditor Trainee

(States Other Than California and New Jersey)

(CA, NJ)

2168-3031

2451-3427

Revenue Tax Specialist I

(States Other Than California and New Jersey)

(CA, NJ)

2168-3031

2451-3427

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(States Other Than California and New Jersey)

2168-3031

2451-3427

Revenue Tax Specialist II

(States Other Than California and New Jersey)

(CA, NJ)

2371-3357

2681-3795

Revenue Tax Specialist Trainee

(States Other Than California and New Jersey)

(CA, NJ)

1983-2753

2241-3112

Senior Public Service Administrator

(States Other Than California and New Jersey)

(CA, NJ)

4018-968 9991

4542-10361 18962

Section 310.440 Merit Compensation Salary Schedule

- a) The Merit Compensation Salary Schedule attached at the end of the Pay Plan as Appendix D is hereby made a part of the Merit Compensation System.
- b) The Salary Schedule shall consist of a series of salary ranges, each composed of a minimum, midpoint and maximum rate and merit-pay-zone.

(Source: Amended at 20 Ill. Reg. 15018, effective NOV. 07 1996)

Section 310.450 Procedures for Determining Annual Merit Increases

- a) An annual merit increase is an in-range salary adjustment for demonstrated performance.
- b) Eligibility for an annual merit increase shall be determined by the following conditions:
- 1) Each employee will be eligible for a merit review after attaining 12 months creditable service. The employee's immediate supervisor shall prepare an Individual Development and Performance Evaluation form prior to the Performance Review Date, and discuss the results with the employee.
 - 2) Should the Individual Development and Performance review result in the employee not being eligible for an annual merit increase due to provisions of subsection 310.450(d), or should the employee's base rate be at the maximum rate of pay of the salary range assigned to the employee's position, the employee will not be eligible for an annual merit increase until 12 months of

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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- additional creditable service has been accrued.
- c) Based upon the results of the Individual Development and Performance Evaluation, the employees' immediate supervisor shall determine whether the employee's performance warrants or does not warrant an annual merit increase.
- d) The amount of an annual merit increase recommendation shall be determined by use of the Merit Increase Guidechart of Section 310.450 if the employee's Individual Development and Performance Evaluation has on the Performance Review Date been evaluated at a Category 3 or higher level. An employee whose Individual Development and Performance Evaluation has, on the Performance Review Date been evaluated at Category 4 or 5 shall not receive an increase in the present base salary. However, in no event is the resulting salary to be lower than the minimum or higher than the maximum rate of pay of the respective salary range assigned to the employee's position.
- e) The employee's immediate supervisor shall prepare a Performance Certification and Salary Increase Recommendation form, indicating whether or not the employee is eligible for an annual merit increase and the amount thereof.
- f) The employee's immediate supervisor shall forward the Individual Development and Performance Evaluation records and Performance Certification and Salary Increase Recommendation records to the agency head or a designated authority for review and approval.
- g) Annual merit increases in pay shall become effective the first day of the month in which the employee's Performance Review Date occurs.

(Source: Amended at 20 Ill. Reg. 15018, effective NOV 07 1996)

Section 310.456 Merit Zone (Repealed)

- a) The salary ranges shall be extended as set forth in Appendix B of the Pay Plan to provide additional salary potential for employees near their normal maximum rates.
- b) Employees' salaries may be advanced into the Merit Zone only by an annual rating of Superior or by an Intersubstituted Merit Increase.

(Source: Repealed at 20 Ill. Reg. 15018, effective NOV 07 1996)

Section 310.480 Decreases in Pay

Employees subject to this Part shall have their salaries reduced only as specified below. Any reduction in salary shall become effective on the first day of the month following approval of the reduction. However, if an employee's present salary is in the Merit Pay Zone of his or her present salary range, the salary need not be placed to the maximum of the lower salary range; if in excess thereof, but shall be reduced to the Merit Pay Zone limit--in the

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- Lower Merit Compensation-salary range-if-in-excess-thereof**
- a) Demotion for Cause to a Lower Class -- If the employee's current base salary is within the lower salary range, it shall be retained without change, but shall be reduced to the maximum of the lower salary range if in excess thereof. An employee demoted during a probationary period following promotion will have the base salary reduced to the same salary the employee received before being promoted and the previous creditable service date will be restored.
- b) Position Reallocated to a Lower Class -- If the employee's current base salary is within the lower salary range, it shall be retained without change, but shall be reduced to the maximum of the lower salary range if in excess thereof. However, as provided in Section 8(a) of the Personnel Code, the pay of an employee whose position is reallocated because of duties and responsibilities after appointment to such position shall not be reduced to be lowered to a salary within the range for a period of one year.
- c) Voluntary Reduction to a Lower Class -- If the employee's current base salary is within the lower salary range, it shall be retained without change, but shall be reduced to the maximum of the lower salary range if in excess thereof. However, an employee who voluntarily requests a reduction during a probationary period following a promotion will have the base salary reduced to the same salary in the lower salary range for which the employee is promoted and the previous creditable service date will be restored.
- d) Assignment of a Lower Salary Range to a Class -- If the employee's current base salary is within the lower salary range, it shall be retained without change, but shall be reduced to the maximum of the lower salary range if in excess thereof.
- e) Adjustment -- An employee may receive a downward adjustment in base salary for the best interest of the agency or the State of Illinois will be served. Adjustments must have the prior approval of the Director of Central Management Services in writing. In determining the appropriateness of a request for a salary adjustment by an employing agency, the Director of Central Management Services will consider whether the need for the adjustment is substantial, whether the action is consistent with the treatment of other similar situations, and whether the action is equitable in view of the particular circumstances prompting the request.

(Source: Amended at 20 Ill. Reg. 15018, effective NOV 07 1996)

Section 310.500 Definitions

The following are definitions of certain terms and are for purposes of clarification as they affect the Merit Compensation System only.

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"Adjustment in Salary" -- A change in salary occasioned by previously committed error or oversight, or required in the best interest of the agency or the state as defined in Sections 310.470 and 310.480 of this Subpart.

"Base Salary" -- The dollar amount of pay of an employee as determined under the provisions of the Merit Compensation System. Base salary does not include overtime pay or shift differential pay or deductions for time not worked.

"Creditable Service" -- All service in full or regularly scheduled part-time pay status beginning with the date of initial employment or the effective date of the last in-grade or promotional salary increase. Revaluations and reallocations will not affect the creditable service date. Adjustments (Section 310.470) "for the purpose of correcting a previous error or oversight" shall not result in a change in the creditable service date; however, adjustments in "the best interests of the agency" shall result in a new creditable service date unless the Director of the Department of Central Management Services determines such changes to be inequitable.

"Comparable Classes" -- Two or more classes that are in the same salary range.

"Demotion" -- The assignment for cause of an employee to a vacant position in a class in a lower salary range than the former class.

"Differential" -- The additional compensation added to the base salary of an employee resulting from conditions of employment imposed during the normal schedule of work.

"Entrance Salary" -- The initial base salary assigned to an employee upon entering State service.

"Intermittent Merit Increase" -- An Intermittent Merit Increase is an increase in monthly base salary, other than the annual merit increase awarded to a merit compensation employee based on performance.

"Maximum Rate of Pay" -- The highest rate of pay below the "Merit-Pay Bone" for a given salary range.

"Merit-Pay Bone--Limit" -- The highest rate of pay for a particular salary range within the Merit Compensation Salary Schedule.

"Midpoint Salary" -- The rate of pay that divides the rate range of a salary range into two equal parts.

"Minimum Rate of Pay" -- The lowest rate of pay for a given salary

range. Normally the minimum rate of pay represents the salary to be paid a qualified employee who is appointed to a position in a class assigned to a given salary range.

"Performance Review" -- The required review of an employee's on-the-job performance as measured by a specific set of criteria.

"Performance Review Date" -- The date on which the annual merit increase must be made effective if a performance review indicates it is appropriate. Actual performance review procedures are to be completed prior to the effective date of any recommendation to allow sufficient time for the records to be processed by the originating agency.

"Promotion" -- The appointment of an employee, with the approval of the agency and the Department of Central Management Services, to a vacant position in a class in a higher salary range than the former class.

"Reallocation" -- The change in the classification of a position resulting from significant changes in assigned duties and responsibilities.

"Reevaluation" -- The assignment of a different salary range to a class of positions based upon a change in relation to other classes or to the labor market.

"Salary Range" -- The dollar values encompassed by the minimum and maximum rates of pay of a salary range assigned to a class title.

"Transfer" -- The assignment of an employee to a vacant position in a class having the same salary range.

"Work Year" -- That period of time determined by the agency and filed with the Department of Central Management Services in accordance with 80 Ill. Adm. Code 303.300 of the Department of Central Management Services.

(Source: Amended at 20 Ill. Reg. 15018, effective NOV 07 1996)

Section 310.530 Implementation

- a) The salary schedule for the Merit Compensation System for Fiscal Year 1997-1998 is as set forth in Appendix D of the Pay Plan.
- b) The Merit Increase Guidechart for Fiscal Year 1997-1998 is as set forth in Section 310.540 of the Pay Plan.
- c) Any employee with a performance review date of July 1 or August 1 will

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have his or her salary increase determined by the use of the Merit Compensation Guidechart for Fiscal Year 1997. The increase will be dated August 1, 1997, and a lump sum will be provided as if this resultant salary were effective on the original performance review date. The creditable service date will be adjusted to return to the regular anniversary month.

(Source: Amended at 20 Ill. Reg. 15018, effective NOV 07 1996.)

Section 310.540 Annual Merit Increase Guidechart for Fiscal Year 1997 1996

Category	Definition	Increase
Category 1	Exceptional	0% to 5% + \$125
Category 2	Accomplished	0% to 3% + \$125
Category 3	Acceptable	0% to 3%
Category 4	Unacceptable	\$0
Category 5	Superior	\$125 + 2% to 4%
Category 6	Exceeds Expectations	\$125 + 0% to 2%
Category 7	Meets Expectations	\$125
Category 8	Needs Improvement	0%
Category 9	Unacceptable	0%

(Source: Amended at 20 Ill. Reg. 15018, effective NOV 07 1996.)

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Section 310. APPENDIX C Medical Administrator Rates for Fiscal Year 1997 1996

Title	Minimum Salary	Midpoint Salary	Maximum Salary
Medical Administrator I, Option C	6,845	9,327	9,809
Medical Administrator I, Option D	7,644	9,168	10,692
Medical Administrator II, Option C	7,396	8,906	10,416
Medical Administrator II, Option D	8,494	10,070	11,646
Medical Administrator III	8,795	10,522	12,249
Medical Administrator IV	8,938	10,565	12,392
Medical Administrator V	9,082	10,811	12,540
Medical Administrator - I, Option - C	6,646	8,984	9,592
Medical Administrator - I, Option - B	7,421	8,981	10,381
Medical Administrator - I, Option - C	7,718	8,647	10,713
Medical Administrator - I, Option - B	8,247	9,777	11,387
Medical Administrator - II, Option - B	8,539	10,715	11,891
Medical Administrator - IV	8,678	10,354	12,030
Medical Administrator - V	8,817	10,496	12,175

The rates of pay for physicians occupying or appointed to a position in the Medical Administrator classes shall be as listed in the above schedule. All provisions of Subpart C of the Pay Plan, Merit Compensation System will apply to the Medical Administrator positions.

(Source: Amended at 20 Ill. Reg. 15018, effective NOV 07 1996.)

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effective

(Source: Amended at 20 Ill. Reg.

NOV. 07, 1996)

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Section 310.APPENDIX D Merit Compensation System Salary Schedule for Fiscal

Year 1997-1998

Salary Range	Minimum Salary	Midpoint Salary	Maximum Salary	Merit-Pay <u>None-Basic</u>
MC 01	1,813	2,411	3,009	3,921
MC 02	1,891	2,533	3,175	3,903
MC 03	1,982	2,680	3,378	3,780
MC 04	2,072	2,806	3,540	3,746
MC 05	2,175	2,968	3,761	3,658
MC 06	2,285	3,119	3,953	3,637
MC 07	2,406	3,308	4,210	3,607
MC 08	2,536	3,509	4,482	3,551
MC 09	2,680	3,704	4,728	3,459
MC 10	2,831	3,944	5,057	3,351
MC 11	2,990	4,187	5,384	3,226
MC 12	3,175	4,467	5,759	3,099
MC 13	3,390	4,775	6,160	2,966
MC 14	3,626	5,126	6,626	2,824
MC 15	3,892	5,496	7,100	2,682
MC 16	4,166	5,905	7,644	2,534
MC 17	4,496	6,373	8,250	2,386
MC 18	4,846	6,853	8,960	2,244
MC 19	5,234	7,345	9,656	2,102
MC 01	1,760	2,271	2,762	3,702
MC 02	1,836	2,356	2,936	3,736
MC 03	1,924	2,454	3,080	3,760
MC 04	2,012	2,554	3,246	3,736
MC 05	2,112	2,664	3,436	3,658
MC 06	2,216	2,784	3,654	3,637
MC 07	2,326	2,913	3,892	3,607
MC 08	2,442	3,053	4,144	3,551
MC 09	2,563	3,198	4,370	3,459
MC 10	2,699	3,348	4,675	3,351
MC 11	2,843	3,503	4,977	3,226
MC 12	3,003	3,674	5,265	3,099
MC 13	3,201	3,859	5,590	2,966
MC 14	3,420	4,059	5,965	2,824
MC 15	3,670	4,273	6,366	2,682
MC 16	3,945	4,506	6,793	2,534
MC 17	4,245	4,756	7,269	2,386
MC 18	4,570	5,024	7,783	2,244
MC 19	4,920	5,310	8,334	2,102
MC 20	5,295	5,614	8,922	1,960
MC 21	5,696	5,936	9,547	1,818
MC 22	6,123	6,276	10,209	1,676
MC 23	6,576	6,634	10,908	1,534
MC 24	7,055	7,010	11,644	1,392
MC 25	7,560	7,483	12,417	1,250
MC 26	8,091	7,874	13,228	1,108
MC 27	8,648	8,283	14,077	966
MC 28	9,231	8,710	14,964	824
MC 29	9,840	9,154	15,889	682
MC 30	10,475	9,615	16,852	540
MC 31	11,136	10,094	17,854	398
MC 32	11,823	10,590	18,895	256
MC 33	12,536	11,094	19,976	114
MC 34	13,275	11,616	21,097	72
MC 35	14,040	12,156	22,258	30
MC 36	14,831	12,714	23,459	0
MC 37	15,648	13,290	24,700	0
MC 38	16,491	13,884	25,981	0
MC 39	17,360	14,496	27,302	0
MC 40	18,255	15,126	28,663	0
MC 41	19,176	15,774	29,964	0
MC 42	20,123	16,440	31,305	0
MC 43	21,096	17,124	32,686	0
MC 44	22,095	17,826	34,107	0
MC 45	23,120	18,546	35,568	0
MC 46	24,171	19,284	37,069	0
MC 47	25,248	20,040	38,610	0
MC 48	26,351	20,814	40,191	0
MC 49	27,480	21,606	41,812	0
MC 50	28,635	22,426	43,473	0
MC 51	29,816	23,264	45,174	0
MC 52	31,023	24,130	46,915	0
MC 53	32,256	25,024	48,696	0
MC 54	33,515	25,946	50,517	0
MC 55	34,799	26,896	52,378	0
MC 56	36,108	27,874	54,279	0
MC 57	37,443	28,880	56,220	0
MC 58	38,803	29,904	58,201	0
MC 59	40,188	30,954	60,222	0
MC 60	41,598	32,030	62,283	0
MC 61	43,033	33,132	64,384	0
MC 62	44,493	34,260	66,525	0
MC 63	45,978	35,414	68,706	0
MC 64	47,488	36,594	70,927	0
MC 65	49,023	37,800	73,188	0
MC 66	50,583	39,032	75,489	0
MC 67	52,168	40,290	77,830	0
MC 68	53,778	41,574	80,211	0
MC 69	55,413	42,884	82,632	0
MC 70	57,073	44,220	85,093	0
MC 71	58,758	45,582	87,594	0
MC 72	60,468	46,970	90,135	0
MC 73	62,203	48,386	92,716	0
MC 74	63,963	49,828	95,337	0
MC 75	65,748	51,296	97,998	0
MC 76	67,558	52,790	100,699	0
MC 77	69,393	54,310	103,440	0
MC 78	71,253	55,856	106,221	0
MC 79	73,138	57,428	109,042	0
MC 80	75,048	59,026	111,903	0
MC 81	76,983	60,650	114,804	0
MC 82	78,943	62,290	117,745	0
MC 83	80,928	63,956	120,726	0
MC 84	82,938	65,648	123,747	0
MC 85	84,973	67,366	126,808	0
MC 86	87,033	69,100	129,909	0
MC 87	89,118	70,860	133,050	0
MC 88	91,228	72,646	136,231	0
MC 89	93,363	74,458	139,452	0
MC 90	95,523	76,296	142,713	0
MC 91	97,708	78,160	146,014	0
MC 92	99,918	80,050	149,355	0
MC 93	102,153	81,966	152,736	0
MC 94	104,413	83,908	156,157	0
MC 95	106,698	85,876	159,618	0
MC 96	109,008	87,870	163,119	0
MC 97	111,343	89,890	166,660	0
MC 98	113,703	91,936	170,241	0
MC 99	116,088	94,008	173,862	0
MC 100	118,498	96,106	177,523	0
MC 101	120,933	98,230	181,224	0
MC 102	123,393	100,380	184,965	0
MC 103	125,878	102,556	188,746	0
MC 104	128,388	104,758	192,567	0
MC 105	130,923	106,986	196,428	0
MC 106	133,483	109,240	200,329	0
MC 107	136,068	111,520	204,270	0
MC 108	138,678	113,826	208,251	0
MC 109	141,313	116,158	212,272	0
MC 110	143,973	118,516	216,333	0
MC 111	146,658	120,898	220,434	0
MC 112	149,368	123,306	224,575	0
MC 113	152,103	125,740	228,756	0
MC 114	154,863	128,198	232,977	0
MC 115	157,648	130,680	237,238	0
MC 116	160,458	133,186	241,539	0
MC 117	163,293	135,716	245,880	0
MC 118	166,153	138,270	250,261	0
MC 119	169,038	140,848	254,682	0
MC 120	171,948	143,450	259,143	0
MC 121	174,883	146,076	263,644	0
MC 122	177,843	148,726	268,185	0
MC 123	180,828	151,400	272,766	0
MC 124	183,838	154,098	277,387	0
MC 125	186,873	156,820	282,048	0
MC 126	189,933	159,566	286,749	0
MC 127	193,018	162,336	291,490	0
MC 128	196,128	165,130	296,271	0
MC 129	199,263	167,948	301,092	0
MC 130	202,423	170,780	305,953	0
MC 131	205,608	173,636	310,854	0
MC 132	208,818	176,516	315,795	0
MC 133	212,053	179,420	320,776	0
MC 134	215,313	182,348	325,797	0
MC 135	218,598	185,298	330,858	0
MC 136	221,908	188,270	335,959	0
MC 137	225,243	191,264	341,100	0
MC 138	228,603	194,280	346,281	0
MC 139	231,988	197,316	351,502	0
MC 140	235,398	200,372	356,763	0
MC 141	238,833	203,448	362,064	0
MC 142	242,293	206,544	367,405	0
MC 143	245,778	209,660	372,786	0
MC 144	249,288	212,796	378,207	0
MC 145	252,823	215,952	383,668	0
MC 146	256,383	219,128	389,169	0
MC 147	260,968	222,324	394,710	0
MC 148	264,578	225,540	400,291	0
MC 149	268,213	228,776	405,912	0
MC 150	271,873	232,032	411,573	0
MC 151	275,558	235,308	417,274	0
MC 152	279,268	238,604	423,015	0
MC 153	283,003	241,920	428,796	0
MC 154	286,763	245,256	434,617	0
MC 155	290,548	248,612	440,478	0
MC 156	294,358	251,988	446,379	0
MC 157	298,193	255,384	452,320	0
MC 158	302,053	258,800	458,301	0
MC 159	305,938	262,236	464,322	0
MC 160	309,848	265,692	470,383	0
MC 161	313,783	269,168	476,484	0
MC 162	317,743	272,664	482,625	0
MC 163	321,728	276,180	488,806	0
MC 164	325,738	279,716	494,927	0
MC 165	329,773	283,272	501,088	0
MC 166	333,833	286,848	507,289	0
MC 167	337,918	290,444	513,530	0
MC 168	342,028	294,060	519,811	0
MC 169	346,163	297,696	526,132	0
MC 170	350,323	301,352	532,493	0
MC 171	354,508	305,028	538,894	0
MC 172	358,718	308,724	545,335	0
MC 173	362,953	312,440	551,816	0
MC 174	367,213	316,176	558,337	0
MC 175	371,498	319,932	564,898	0
MC 176	375,808	323,708	571,499	0
MC 177	380,143	327,504	578,140	0
MC 178	384,503	331,320	584,821	0
MC 179	388,888	335,156	591,542	0
MC 180	393,298	339,012	598,303	0
MC 181	397,733	342,888	605,104	0
MC 182	402,193	346,784	611,945	0
MC 183	406,678	350,700	618,826	0
MC 184	411,188	354,636	625,747	0
MC 185	415,723	358,592	632,708	0
MC 186	420,283	362,568	639,709	0
MC 187	424,868	366,564	646,750	0
MC 188	429,478	370,580	653,831	0
MC 189	434,113	374,616	660,952	0
MC 190	438,773	378,672	668,113	0
MC 191	443,458	382,748	675,314	0
MC 192	448,168	386,844	682,555	0
MC 193	452,903	390,960	689,836	0
MC 194	457,663	395,096	697,157	0
MC 195	462,448	399,252	704,518	0
MC 196	467,258	403,428	711,919	0
MC 197	472,093	407,624	719,360	0
MC 198	476,953	411,840	726,841	0
MC 199	481,838	416,076	734,362	0
MC 200	486,748	420,332	741,923	0
MC 201	491,683	424,608	749,524	0
MC 202	496,643	428,904	757,165	0
MC 203	501,628	433,220	764,846	0
MC 204	506,638	437,556	772,567	0
MC 205	511,673	441,912	780,328	0
MC 206	516,733	446,288	788,129	0

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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Section 310.APPENDIX G Broad-Band Pay Range Classes Salary Schedule

Title	Minimum Salary	Maximum Salary
Human Resources Representative	1,891	3,540
Human Resources Specialist	2,173	4,210
Public Service Administrator	2,532	5,382
Senior Public Service Administrator	3,491	6,097
Level I		
Senior Public Service Administrator	4,292	7,972
Level II		
Human-Resources-Representative	4,836	9,436
Human-Resources-Specialist	5,418	10,667
Public-Service-Administrator	6,462	12,285
Senior-Public-Service-Administrator	8,392	15,919
Level III		
Senior-Public-Service-Administrator	11,657	22,740

(Source: Amended at 20 Ill. Reg.

NOV 07 1996)

effective

~~15018~~

DEPARTMENT OF THE LOTTERY

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1) Heading of the Part: Lottery (General)2) Code Citation: 11 Ill. Adm. Code 1770

Section Numbers:	Adopted Action:
1770.10	Amend
1770.20	Amend
1770.40	Amend
1770.50	Amend
1770.60	Amend
1770.80	Amend
1770.110	Amend
1770.130	Amend
1770.190	Amend
1770.220	New Section

4) Statutory Authority: Implementing Sections 7.1 and 7.2, and authorized by Section 7.1, of the Illinois Lottery Law (20 ILCS 1605/7.1 and 7.2) and Executive Order 86-2, effective July 1, 1986.5) Effective Date of Amendments: November 6, 19966) Does this rulemaking contain an automatic renewal date? No7) Does this Amendment contain incorporations by reference? No8) Date filed in Agency's principal office: November 1, 19969) Notice of Proposal Published in Illinois Register: 20 Ill. Reg. 8174, June 21, 199610) Has JCPR issued a Statement of Objections to this Rule? No11) Difference(s) between proposal and final version:

1. In line 51, corrected statutory cite.
2. In line 64, changed "these rules" to "this Part".
3. In line 222, struck period and added semicolon.
4. In line 609, changed "these rules" to "this Part"; deleted "except as otherwise provided in this part, no" and changed "No" to "No".
5. In line 659, added "declare the ticket to be a valid winning ticket and" after "may".
6. In line 661, added "a copy of the ticket or other" after "furnishes".
7. In lines 797 and 800, capped "Social Security Number".
8. Changed lines 926-929 to read: "Official rules as published each January in the Illinois Register as specified in Section 7.1 of the Illinois Lottery Law shall be maintained on file in the Department's principal office in Springfield, Illinois and shall be made available

DEPARTMENT OF THE LOTTERY
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for public inspection and copying during normal business hours.

17) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes, all agreed changes have been made.

13) Will this rule replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and purpose of amendments: These amendments are intended to clarify prize claim and payment requirements; reflect agency treatment of changes in name, ownership or business structures on the part of Lottery agents and changing the license renewal process; incorporate statutory amendments regarding criminal history and tax status into the rule on acquisition of Lottery agents; address voluntary surrender of an agent license; and to establish the priority of official rules on file at the agency's central office over any advertising or promotional materials derived therefrom.

16) Information and questions regarding these adopted amendments should be directed to:

Lisa A. Crites, Rules Coordinator
Illinois Department of the Lottery
201 East Madison Street
Springfield, Illinois 62702
217/524-5253

The full text of the amendments begins on the next page:

DEPARTMENT OF THE LOTTERY
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TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
SUBTITLE C: LOTTERY

CHAPTER 11: DEPARTMENT OF THE LOTTERY

PART 1770
LOTTERY (GENERAL)

Section	Definitions
1770.10	Selection of Lottery Sales Agents; License Application and Fee:
1770.20	On-Line Status
1770.30	Special Licenses
1770.40	License Revocation Without Prior Notice
1770.50	License Revocation, Suspension, Non-Renewal or Denial With Prior Notice
1770.60	Conditions of Licensing
1770.70	License to be Displayed
1770.80	Change of Name, Ownership, or Form of Business Organization
1770.90	Delinquent Financial Obligations
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AUTHORITY: Implementing and authorized by Sections 7.1 and 7.2 of the Illinois Lottery Law [20 ILCS 1605/7.1 and 7.2] and Executive Order 86-2, effective July 1, 1986.

SOURCE: Filed by the Lottery Control Board July 11, 1974; amended at 2 Ill. Reg. 17, P. 130, effective April 1, 1978; amended at 4 Ill. Reg. 15, P. 201, effective March 30, 1980; codified as 11 Ill. Adm. Code 1670 at 5 Ill. Reg. 10713; transferred from 11 Ill. Adm. Code 1670 (Lottery Control Board) to 11 Ill. Adm. Code 1770 (Department of the Lottery) pursuant to Executive Order 86-2, effective July 1, 1986, at 11 Ill. Reg. 1582; Part repealed, new Part adopted at 13 Ill. Reg. 7908, effective May 16, 1989; amended at 17 Ill. Reg. 18816, effective October 19, 1993; amended at 18 Ill. Reg. 13439, effective August 23, 1994; amended at 19 Ill. Reg. 6810, effective May 8, 1995; amended at 21 Ill. Reg. 15039, effective NOV-06-1996.

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Section 1770.10 Definitions

Terms defined in the Act have the same meanings when used in this Part. The following words and terms when used in this Part shall have the following meanings, unless the context clearly indicates otherwise:

"Act" means the Illinois Lottery Law [20 ILCS 1605] as amended.

"Agent" or "Sales Agent" or "Distributor" means a person and his representative who has been licensed to distribute and/or sell lottery tickets under Sections 9.d, 10 and 10.1 of the Act.

"Applicant" means a person who has applied to the Director for a license to sell lottery tickets to the public.

"Board" means the Lottery Control Board as established by Section 6 of the Act.

"Chairman" means the Chairman of the Lottery Control Board.

"Claim" means to present a purported winning Illinois Lottery ticket to a licensed Lottery Agent or a Lottery regional or administrative office for payment. Claim shall additionally mean the process of completing an Illinois Lottery claim form or other documentation as required by this Part. The amount of a prize claim is determined by deducting the amount of the wager from the verified prize amount.

"Department" means the Illinois Department of the Lottery.

"Director" means the Director of the Department of Lottery.

"Employee of the Department" means an employee of the Department of the Lottery.

"Game" means any individual or particular type of lottery authorized by the Department.

"License" means a license, issued by the Director pursuant to Section 9 of the Act, under the authority of the Act, for an agent to sell lottery tickets to the public. Licenses shall be effective for an initial period of two years from the date issued by the Department's Licensing Unit. Each license thereafter approved for renewal by the Department will be renewed for a two-year term dated from the date of expiration of the initial or last prior renewal term, as may be appropriate.

"Licensed Agent" or "Lottery Sales Agent" or "Licensed Sales Agent" means a person permitted by a license issued by the Director under the

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authority of Sections 9.d, 10 and 10.1 of the Act to sell Illinois State Lottery tickets to the public, by an across-the-counter transaction at a specified Point of Sale at a specifically licensed location.

"Lottery" or "State Lottery" means the Lottery established and operated pursuant to the Act.

"On-line status" means the ability of an agent to sell computer-generated Lottery game tickets or shares through a terminal connected to a Lottery central system.

"Person" shall be construed to mean and include an individual, association, partnership, corporation, limited liability company or partnership, club, trust, estate, society, company, joint stock company, receiver, trustee, referee, or any other person acting in a fiduciary or representative capacity, who is appointed by a court, or any other combination of individuals. "Person" includes any department, commission, agency or instrumentality of the State, including the Department of the Lottery, and also including any county, city, village, or township and any agency and instrumentality thereof.

"Point of Sale" means the physical location where a licensed agent is authorized to conduct the sale of lottery tickets to the public.

"Prize" means any award, financial or otherwise, awarded to a ticket holder pursuant to the rules of the Lottery.

"Related terminal" means any player activated machine or any agent operated terminal in which an owner of an agent location has 50% or greater interest.

"Secretary" means the Secretary of the Lottery Control Board.

"Special License" means a license issued by the Director limited in geographic scope and/or duration of validity, pursuant to Section 1770.30 of this Part.

"State Lottery Fund" means the special fund created in the State Treasury by Section 20 of the Act, in which all revenues received by the State Lottery, as defined and limited by Section 20 of the Act, are deposited.

"Ticket" means a lottery ticket or share issued by the Department for sale to the general public.

(Source: Amended at 21 Ill. Reg. 15039, effective

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Section 1770.20 Selection of Lottery Sales Agents: License Application and Fee: On-Line Status

- a) The Director shall license as Sales Agents, persons engaged in business activity dealing with the public provided, however, that the sole proprietors, partners, corporate officers or principals of an applicant must be 18 years of age or older to be eligible to apply for a license. The total number of Sales Agents shall be sufficient to assure that lottery products are conveniently available to the public throughout the State, consistent with the constraints of the Department's budget. Any person interested in obtaining a license as a Sales Agent, must first fill out an application with the Department on such forms as may be provided by the applicant to the Department. The applicant will have a representative meet with the applicant to discuss the responsibilities of selling lottery products, and the information concerning the applicant and his business. The applicant shall give careful consideration to the following factors in selecting as Sales Agents those persons to which one may expect to provide a high level of sales volume of lottery products, proper security for the lottery equipment, tickets and money, and a good public image for the State's lottery products.
- 1) The credit worthiness and financial responsibility of the applicant as disclosed by standard credit reporting services, the records of the State and such other credible information bearing upon the credit worthiness of the applicant as may be brought to the attention of the Director.
- 2) The criminal history and tax status of the applicant as disclosed in the application of the records of the State.
- 3) The physical structure and design of the applicant's facilities as it would relate to the placement of lottery equipment, the sale of lottery products and the storage of lottery receipts.
- 4) The public accessibility of applicant's place of business or activity, including accessibility from roads, major highways, parking facilities, public transit routes, accessibility by the disabled, proximity of pedestrian traffic, hours of operation of applicant's business, and the cleanliness, attractiveness and physical security of the premises.
- 5) The number of existing lottery sales licenses in the vicinity.
- 6) The nature of the applicant's business and the volume of the applicant's sales from his regular business in order to assure that the sale of lottery products will be ancillary to the applicant's regular business.
- 7) The level of anticipated or projected sales from the general area in which the applicant's business is located taking into

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- consideration the demographics of the neighborhood or locality, the proximity of the location to population centers and the average sales for other comparable agents.
- 9) The character of the applicant and his or her reputation for honesty and integrity in the community.
 - 10) The veracity of the information supplied in the license application.
 - 10) The merchandising skills and business experience of the applicant, including the tenure of applicant's business at the proposed location.
 - 11) The Director may provide any information relating to the following listed factors to the Department's representative at the time of the site visit or may include any information relating to these factors at the time of submission of the application.
 - b) The Director shall make available forms for application for lottery sales licensing. Each license application shall be accompanied by a non-refundable \$10 application fee, which application and fee should be mailed or delivered to the Office of the Director located at:
Director
Illinois Department of the Lottery
201 East Madison Street
Springfield, Illinois 62702
 - c) The license fee described in subsection (b) will be waived by the Department if the period of the license does not exceed 30 days.
 - d) The Director may grant a licensed Sales Agent on-line status based upon an evaluation conducted by an employee of the Department. The evaluation will include, but shall not be limited to:
 - 1) Performance as an instant Sales Agent, including sales volume, settlement practices and compliance with Department procedures;
 - 2) Financial responsibility;
 - 3) Proximity to existing on-line Sales Agents;
 - 4) Ability to pay valid winning tickets;
 - 5) Days and hours of operation;
 - 6) Accessibility of the Sales Agent's place of business, including available parking, proximity of public transit stops and accessibility by the disabled; and
 - 7) Anticipated volume of on-line sales.
 - 2) Financial responsibility;
 - 3) Proximity to existing on-line Sales Agents;
 - 4) Ability to pay valid winning tickets;
 - 5) Days and hours of operation;
 - 6) Accessibility of the Sales Agent's place of business, including available parking, proximity of public transit stops and accessibility by the disabled; and
 - 7) Anticipated volume of on-line sales.
- (Source: Amended at 21 Ill. Reg. 15039, effective NOV 04 1996)

Section 1770.40 License Revocation Without Prior Notice

- a) Pursuant to Section 10.1 of the Act, the Director must act to assure that no person whom the Act declares to be ineligible for a license is granted a license and that no licensed sales agent who becomes "ineligible" under the Act is allowed to sell as a licensed sales agent. The Director may revoke the license of any agent who violates

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the Act or any rule promulgated pursuant to the Act. The Director may revoke a license without notice or prior hearing, upon determining any of the following:

- 1) That an agent has been convicted of a felony or any crime involving fraud, misrepresentation, moral turpitude or failure to pay taxes;
- 2) That the agent, or an employee of the agent engaged in or responsible for lottery ticket sales, has been arrested for bookmaking or any other form of illegal gambling;
- 3) That the agent has been found guilty of any fraud or misrepresentation;
- 4) That the agent has commingled and has failed to segregate Lottery funds from other funds, or has failed to surrender such funds and/or unsold instant tickets upon demand by the Department or its authorized agent, or has carried an accounts receivable balance in excess of \$500 for more than 90 days;
- 5) That the agent has failed to take reasonable security precautions with regard to the handling of lottery tickets and related materials;
- 6) That the agent has ceased to offer Lottery products for sale, or has changed business ownership, as defined in Section 1770.80(d) herein with no prior notice to the Department by the seller or buyer.

7) That, on the basis of information made available to the Director since the agent was licensed, the Director finds that the agent's character and general fitness are such that his or her participation as an agent is inconsistent with the public interest, convenience and necessity.

- b) In the event the Director revokes a license without notice and an opportunity for a prior hearing, the Director shall, by appropriate notice furnished pursuant to 11 Ill. Adm. Code 1700.30, afford the licensee whose license has been revoked an opportunity for a hearing within thirty days after the revocation order has been issued. As a result of any such hearing the Director may confirm the action revoking the license, or may order the restoration of the license. In determining whether to confirm the action revoking the license, or order the restoration of the license, the Director shall take the following factors into consideration, if applicable:

- 1) the agent's history of past offenses;
- 2) whether the agent's course of conduct constituted a threat to the safety of the agent, Department Officials, or others;
- 3) any evidence of the agent's ignorance of a material fact which led to his unlawful conduct;
- 4) the degree of cooperation exhibited by the agent with Department Officials;
- 5) the degree to which the agent profited economically as a result of his conduct;
- 6) any other evidence offered and noted by the Hearing Officer as

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demonstrating factors in mitigation or factors in aggravation of the relief sought in the complaint.

- c) The Director may suspend, with or without notice or prior hearing, the license of any agent who violates this Act or any rule or regulation promulgated pursuant to this Act. In the event the Director suspends a license without notice and an opportunity for prior hearing, the Director shall, by appropriate notice, as provided by 11 Ill. Adm. Code 1700.30, afford the person whose license has been suspended an opportunity for a hearing within thirty days after the suspension order has been issued. As a result of any such suspension, the Director may confirm suspension of the license or may rescind the suspension. In determining whether to confirm the action confirming suspension or rescinding the suspension, the Director shall take the following factors into consideration, if applicable:

- 1) the agent's history of past offenses;
- 2) whether the agent's course of conduct constituted a threat to the safety of the agent, Department Officials, or others;
- 3) any evidence of the agent's ignorance of a material fact which led to his unlawful conduct;
- 4) the degree of cooperation exhibited by the agent with Department Officials;
- 5) the degree to which the agent profited economically as a result of his conduct;
- 6) any other evidence offered and noted by the Hearing Officer as demonstrating factors in mitigation or factors in aggravation of the relief sought in the complaint.

- d) Upon termination of an agent's license, the Department shall arrange, and the agent shall participate in, a meeting with the Department's representative for the purpose of rendering the agent's final lottery accounting.

- e) Upon receipt of notice of revocation, the agent shall surrender immediately to the Director or his or her designee, his agent's license and other lottery equipment and materials supplied to the agent by the Department, its on-line games vendor or shall submit ticket validation service vendor. Service notice shall be by certified mail. Service is deemed completed if returned undelivered when mailed to the agent's last known address, with proper postage prepaid.

- f) Nothing in this Section shall be construed to prevent the immediate termination of an agent's license upon agent's request and the Department's approval thereof, upon the effective date of a change in ownership for which the Department has received written confirmation. The right to a hearing shall not apply in such circumstances.

(Source: Amended at 21 Ill. Reg.

15039

, effective

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Section 1770.50 License Revocation, Suspension, Non-Renewal or Denial With Prior Notice

The Director may deny, suspend, not renew or revoke an agent's license with prior notice and opportunity for hearing for one or more of the following causes:

- a) violation of any of the provisions of the Act or this Part;
- b) failure to meet or maintain the eligibility requirements for licensing as provided in the Act and these rules, and the Conditions of Licensing set forth in Section 1770.60 of this Part;
- c) fraud, deceit, misrepresentation or other conduct prejudicial to public confidence in the Lottery;
- d) the misrepresentation of, or failure to disclose, a material fact to the Board or the Director on any report, record, application, form or questionnaire required to be submitted to the Board or the Director, including, but not limited to, the misrepresentation of or failure to disclose a criminal record, taxpayer status with the State of Illinois or relevant information bearing on the financial status of the applicant;
- e) failure to promptly produce for inspection, by a member of the Board, the Director, or their authorized representatives, including law enforcement personnel, any book, record, account, document or item required by the Act or this Part;
- f) refusal to permit access to members of the Board, the Director, or their authorized representatives, including law enforcement personnel, to any place where a licensed lottery activity is conducted;
- g) failure to file any returns or reports or to keep any records or reports as required by the Director under the Act or this Part;
- h) failure to account for lottery tickets received or the proceeds from the sale of lottery tickets, or to post a bond if so required by the Director;
- i) failure to maintain sales levels established by Department directive;
- j) failure to comply with the instructions or directives of the Director as to security procedures for the handling of lottery tickets or the conduct of any lottery game;
- k) knowingly causing, aiding, abetting or conspiring with any other person to violate this Act or this Part;
- l) making a misrepresentation of fact to the purchaser, or prospective purchaser, of a lottery ticket, or to the general public, with respect to the conduct of any lottery game;
- m) upon a determination by the Director that the number of lottery sales agents in an agent's area of operation exceeds the number which can be efficiently supported by the Department's budget or personnel, or the public convenience requiring that the number of lottery products is sufficiently served by their agent locations considering the total volume of sales served by the agent;
- n) failure to pay the Department any obligation when said obligation becomes due;

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- o) upon a determination by the Director that the licensed agent has become insolvent or unable or unwilling to pay his debts;
- p) failure to display lottery point-of-sale material in a manner which can be readily seen by the public, or make hand-out materials readily available to the public;
- q) upon any change of business ownership, business organization or business location.

(Source: Amended at 21 Ill. Reg. 15039, effective

NOV 06 1996)

Section 1770.60 Conditions of Licensing

Lottery sales licenses are subject to the following conditions of licensing:

- a) The lottery sales license issued by the Department shall be issued to a person, as defined by Section 1770.10, for a specified point of sale, as defined by Section 1770.10, on the condition that the licensed sales agent maintains eligibility under the applicable criteria under which the license was granted by the Director, as defined in Section 1770.20;
- b) licensees shall, at all times during the term of licensure, comply with the Act and any rules, instructions of the Director concerning the security of lottery tickets or money;
- c) Each licensed agent shall make available for sale to the public, during its normal business hours, those Illinois State Lottery ticket products which the agent has been licensed to sell. No agent shall offer for sale any gambling or gaming tickets or chances other than those for which the agent is specifically licensed by the Illinois Department of the Lottery or other department, board or commission of the State of Illinois;
- d) No license issued pursuant to the Act shall be transferable or assignable;
- e) Lottery sales licenses and placards stating game play odds for Lottery games shall be displayed in a conspicuous place on the business premises where the lottery tickets are licensed to be sold;
- f) Lottery licensees shall actively promote the sale of Illinois State Lottery tickets;
- g) Licensees shall maintain authorized displays, drop boxes, equipment and properly display other promotional materials used in conjunction with sales in accordance with instructions issued by the Department. Each licensee will be held responsible for all tickets accepted from the Department or its distribution agents, by licensee, its agents or employees. All unsold tickets and receipts from sales, less commissions from such sales and less such sums as have been paid by licensees to winners of prizes in the manner prescribed by directives of the Department, shall be returned to the Department or its distribution agents by the stated settlement deadlines. Tickets not returned by settlement deadlines shall be considered to have

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been purchased by the agent;

- h) Each agent shall maintain current and accurate records of all operations in conjunction with sales in conformity with rules of the Department. Such records shall be made available to representatives of the Department and the Auditor General of Illinois;
- i) No person shall sell a ticket or share at a price greater or less than that fixed by rule of the Department, provided, the Department may enter into ticket couponing and ticket discount couponing promotions in support of marketing activities. No "service" charge, handling fee or other cost shall be added by any person to the established price of a ticket or share. No person shall charge a fee to redeem valid winning tickets or shares; sell lottery tickets or shares shall be issued to any person to engage in business exclusively as a lottery agent.
- j) No license shall be granted to any applicant whose prior license has been revoked pursuant to these rules, when the effective date of revocation has been less than two years prior to the date of the current application;
- k) No licensed agent shall sell lottery tickets or shares issued by any governmental entity, foreign or domestic, other than tickets and shares for games operated by Illinois State Lottery;
- l) All lottery proceeds are funds of the State of Illinois, must be separately segregated from other business or personal funds, must be held in trust on behalf of the Illinois Lottery, and the agent must, under penalty of law, maintain a separate bank account exclusively for deposit and transfer of weekly lottery fund settlements by means of an Electronic Fund Transfer system. The account must be designated on

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the bank's records as "Lottery Trust Fund Account."

(Source: Amended 21 Ill. Reg. **15039**, effective November 6, 1996)

Section 1770.80 Change of Name, Ownership, or Form of Business Organization

- a) Every change in the name, ownership or form of business organization of the business designated in the license as permitted to offer to the public lottery tickets, shall be reported by the licensed agent to the Director thirty days prior to the effective date of change. Reporting may be accomplished by completing a governmental form provided for such purpose or by mailing notice of the proposed change by certified mail, return receipt requested, postmarked on or before the thirtieth day prior to the effective date of change, and addressed to the Department at the following address:
Illinois Lottery
201 East Madison Street
Springfield, Illinois 62703
- b) "Change of name" means a change in the name of the business designated in the license, by which name the business is intended to be known to the public.
- c) "Change of business organization" means a change from one form of organization and ownership of the business, as permitted by the laws of the State, to another, including, but not necessarily limited to, general partnerships, limited partnerships, corporations and proprietary ownership.
- d) "Change of ownership" means the transfer of more than 50% of the equity, management control, legal ownership, shares or stock of the business designated in the license.
- e) Each notification of change of name, ownership or form of business organization of a licensee communicated to the Director shall include the following information:
 - 1) the name, address and agent identification number of the licensed agent;
 - 2) the name of the business as it appears on the license;
 - 3) the proposed new name of the business designated in the license, if applicable;
 - 4) the current form of business organization;
 - 5) the proposed form of business organization, if applicable;
 - 6) the current owners, managers or shareholders of the business, as is indicated in the license;
 - 7) the proposed changes of ownership, including the names and addresses of the proposed new owners, managers or shareholders, the percentage of proposed transfer of equity, management control, legal ownership, shares or stock; and
 - 8) the anticipated date of the proposed change in name, business organization or ownership.

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- f) The Director shall review the changes, considering current licensing standards, as provided in the Act and this Part.
- g) The Director, upon approval of a change in name of a change in business structure which does not also involve a change in ownership or ownership shall issue a new replacement license reflecting the new name of business structure or ownership. The replacement license shall have an expiration date no later than the expiration date provided in the previous license.
- h) Except as provided below, any change of business ownership shall necessitate termination of the existing licensing agreement, as of the effective date of the change of ownership. The new owner must submit an application and fee as provided in Section 1770.20 of this Part. If the existing agent has not provided the Department with required written notification of the change, the applicant may be required to furnish documentation evidencing the change in ownership, such as a sales contract. In the event of change of ownership of a corporate chain or franchises in which a business at a licensed location continues operation under the franchisor or chain corporate ownership, the franchisor or chain corporate ownership shall be deemed to be the owner of the business for the purpose of the license. The license shall be assigned to the corporate sponsor and shall be maintained by the corporate sponsor. The license shall have an expiration date no later than the expiration date as provided in the previous license.
- i) In the event of the proven incapacity, death, receivership, bankruptcy or assignment for the benefit of creditors of any licensed agent or business as designated in the license held by a licensed agent, and upon approval of the Director, the license may continue under a court-approved or court-confirmed guardian, executor or administrator, receiver or trustee for the benefit of creditors, who may continue to operate the business designated under the license, subject to the provisions of this Act and this Part, including the requirements that:
- 1) the person to whom the license is transferred must be otherwise qualified to hold a license;
 - 2) the license following the transfer shall be void in the event the license transferee ceases to hold such court-appointed or court-confirmed position;
 - 3) the Director may condition the transfer of any license under this Section upon the posting of a bond on such terms and under such conditions as the Director may deem necessary to protect the financial interests of the State, provided that any such bond shall reflect the reasonably anticipated risk of transfer.
- j) Every change in the location of the business designated in the license shall be reported to the Director no less than thirty days prior to the effective date of the change. If such change results from severe damage to or destruction of the business premises specified in the license, as a result of fire, natural disaster or other cause beyond the control of the licensed sales agent, the licensed sales agent shall promptly notify the Director of such destruction or damage to

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the business premises, and the consequent change of location, but in no case shall such notification be later than three days after such damage to or destruction of the premises or change of location. Upon such notification, the Director shall consider the factors set forth in Section 1770.20 of this Part to determine whether the agent should be licensed to sell tickets at the new location. Upon the Director's approval, a replacement license shall be issued having an expiration date no later than that of the agent's original license.

k) Except as otherwise provided in this Section, any change of business ownership or business organization shall necessitate termination of the existing licensing agreement, as of the effective date of the change of ownership or form of business organization. In situations where the existing agent notifies the Department of a change of ownership or business organization and requests license termination as of the date of change, no notice of license revocation or right to hearing shall be required. However, where no such notice is given by the existing agent, the Director shall notify the agent within five working days of receipt of the notification of change of ownership or form of business organization of the effective date of such termination, and the right of the agent to a hearing as provided by Section 1769.30 of the Illinois Administrative Code. The Director's notice to the agent shall be deemed accomplished by depositing the same in the United States mail, postage paid, to the official address of the agent. The agent's address as registered with the official notice shall be deemed to be the agent's official address for the purpose of this notice. The agent will be deemed to have received the notice by registered mail, return receipt, within three working days of the date of mailing. In the event of change of ownership of a corporate chain or franchise in which a business at a licensed location continues operation under the franchisor or chain corporate ownership and upon corporate guarantee and assumption of the financial obligations of the licensee, a license may be assigned to the corporate sponsor and need not be terminated.

(Source: Amended at 21 Ill. Reg. 15039, effective

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Section 1770.110 License Expiration and Renewal

All licenses issued by the Department pursuant to this Act shall be valid for a period not to exceed two years after issuance unless sooner revoked, cancelled or suspended. The license may be terminated before the expiration date by the Director in accordance with this Part. To be eligible for license renewal, an agent must submit an updated application package of renewal form, as prescribed by the Department.

(Source: Amended at 21 Ill. Reg. 15039, effective

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Section 1770.130 Lost, Stolen, and Damaged Winning Tickets and other

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Discrepancies

- a) No claim for a game prize with respect to any Lottery game shall be honored, and no prize shall be paid with respect to any such claim, unless the claim is accompanied by a valid winning ticket for the game and the prize. Each winning ticket must pass such validation and security tests as the Department may require to validate the ticket.
- b) Whenever a winning ticket is stolen, lost or destroyed after such ticket has been placed in the hands of a Lottery agent or the Department, the Department may provide for payment of the prize to the winner thereof, provided that the purported winner furnishes a valid claim receipt with attached computer-generated claim ticket, with respect to a claim filed with a Lottery agent, or the claim receipt only, with respect to a claim filed with a Department administrative or marketing office. For instant game prizes where there is no computer-generated claim ticket, a written statement from the agent, confirming that the winning ticket was received by such agent, may be required prior to payment authorization. In the event a claim has been entered into the computer system but the claimant is unable to produce a claim receipt or, where appropriate, claim ticket, no action will be taken with respect to the claim until the claim period for the game has expired. If the ticket and original claim form and claimant's copy of the claim form remain lost at the conclusion of the claim period for the game in question, within thirty calendar days from and after the final claim date, any claimant with respect to such a prize may request a hearing, as provided by the Hearing Rules of the Department (11 Ill. Adm. Code 1710), for purposes of proving-up the claim. If multiple claims are filed with respect to the same prize, such claims shall be heard in a consolidated hearing during which each claimant shall be permitted, in turn, to present evidence in support of his or her claim. No discovery of Department records relating to ticket procurement or ticket claims shall be allowed. At the conclusion of the offering of all proofs by all claimants for a prize, the Department shall offer such evidence as may be available from Department records that will tend to establish that agent location at which the actual winning ticket was sold, together with the ticket identification numbers, and the date and time of sale. The Department's motion for dismissal prior to offering of proofs, accompanied by Department's certification that no computer claim record exists with respect to a purported claim, shall constitute an absolute defense to any claim for a prize.
- c) Whenever a player submits a claim during the valid claim period for a game or prize, the claimant shall be deemed to have irrevocably waived the right of selling the ticket to any other person in the Illinois Lottery ticket was purchased since the date of the on-line drawing for which the ticket was purchased or one year has elapsed since the announced end of game for the instant game in question, and no prize has been paid to or claimed by another person, the Director may declare the ticket to be a valid

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- winning ticket and authorize payment of the associated prize to the claimant provided that the following conditions are met:
- 1) The claimant furnishes a copy of the ticket or other satisfactory evidence as to the date, time and location of the ticket purchase, on-line games, the name, location of purchase, and approximate date of purchase for instant tickets; of such other relevant information as could only be known by the original purchaser of the ticket;
- 2) The claimant establishes to the satisfaction of the Director that the claimant took reasonable steps with respect to the security of the ticket, actually deposited the ticket in the U.S. Mail properly addressed to the Illinois Lottery, and that the ticket was not lost or stolen due to the player's negligence or carelessness;
- 3) One and only one claimant meets the criteria outlined in subsections (c)(1) and (2) above; and
- 4) The prize claimed is not a Lotto game Grand Prize, Little Lotto game First Prize, or instant game prize in excess of \$5,000. Evidence regarding the date, time and place of purchase will not be considered satisfactory evidence of ticket purchase if such information has been generally released to the public by the Department.

(Source: Amended at 21 Ill. Reg. 15039, effective

NOV 06 1996.)

Section 1770.190 Prize Payment, Claiming of Prizes and Transfers to Common School Fund

- a) The prize structure may vary with each game and will be established at the beginning of the game by the Director. The prize structure, odds of winning the game in which winners are determined, the claim period for the game and various procedural matters will be set forth in game rules. Any prize in excess of \$500 shall be set forth in game rules. A prize of less than \$500 may be claimed by submitting the winning Lottery ticket to a Lottery agent location which sells the type of game won, and may be paid by the Lottery agent directly from Lottery ticket sales funds on hand after the agent follows verification procedures which establish that the ticket is a winning ticket. The prize claim examines the ticket for alterations, verifies that the prize claim period has not expired, and requests proof of age from the claimant if appropriate. However, when a winning proof of age from the claimant is established in game rules, the value of the winning ticket is \$600 or more, or the Department's verification procedures require, the agent shall follow the claim procedures set forth in subsection (c) below. Claims for all prizes are designated in-game rules and directives issued by the Department and in the amount of less than \$600 may be

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claimed-by-presenting-winning-tickets-to-lottery-sales-agents-within such-agent-claim-periods-as-may-be-established-by-the-Director-in-gam rules-for-the-various-games-Agents-shall-pay-such-prizes-directly from-lottery-ticket-sales-funds-on-hand-or-when-instructed-by-the Department-by-filing-the-winning-tickets-and-claim-forms-with-the Department-Claims-presented-for-payment-at-agent-locations-after-the agent-claim-period-established-in-gam-rules-shall-be-presented-to-any Department-office-for-payment-When-a-claim-is-presented-to-any-agent complete-the-name-and-address-portion-on-the-reverse-of-the-ticket and-show-identification-the-agent-after-following-verification procedures-which-establish-that-the-ticket-is-a-winning-ticket-for-the drawing-date-on-the-ticket-and-examine-the-ticket-for-alteration snail-pay-the-claimant-or-his-or-her-authorized-representative directly

c) Prizes of up to \$25,000, claimed by an individual or in the name and under the taxpayer identification number of a partnership or other official person, may be paid by lottery regional or administrative offices, subject to established claim period, procedures and validation tests. All claims for prizes of more than \$25,000, as well as for lesser prizes not paid by lottery regional offices, shall be submitted to the administrative offices of the Department. Subsection (b) of this Section must be paid centrally by the Department. Claimants may obtain claim forms from any lottery on-line ticket sales agent, any departmental regional office, or the Department's administrative offices in Chicago or Springfield, Illinois. When initiating a claim at any of the aforesaid locations offices, a claimant shall complete the name and address area on the reverse of the ticket, and present proof of identification and the winning ticket. The agent or Department employee, as applicable, will assist the claimant in filling out the claim form which will be signed by the agent or employee and by the claimant or his or her authorized representative. The claimant or authorized representative will receive a copy of the claim form as a receipt. The winning ticket and a copy of the claim form will be sent to the Department's central offices in Springfield, Illinois, for verification. When the ticket is verified as a winning ticket, the prize or prize-interest thereon-in-the-case-of installment-awards will be mailed to the claimant. Prizes in the amount of \$1,000,000 or more may be claimed only at the Department's administrative offices in Springfield and Chicago, and absent extenuating circumstances, only by appointment so that appropriate Department personnel are available to assist in the claim process.

d) Prizes of less than \$600 claimed by multiple winners playing as partners or as a group, with common ownership of a winning ticket at the time of the prize drawing, shall be claimed in the individual name of one of the partners or members of the group. Payment of any claim filed on behalf of such an individual group member shall be in the same manner as if filed on behalf of a single claimant.

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e) Prizes of \$600 up to \$1,000,000 claimed by multiple winners playing as partners or as a group, with common ownership of a winning ticket at the time of the prize drawing, may be claimed in the individual name of one of the partners or members of the group. Any claim filed on behalf of such an individual group member shall be filed in the name of the claimant as if filed on behalf of a single claimant, but must be accompanied by a form 5754 setting forth the names, addresses, social security numbers and prize shares of all other persons entitled to a share of the prize. The Department will process a voucher payable to each individual listed on the form 5754, dividing the winnings equally, or as otherwise designated on the form 5754. The Department will then process payment vouchers to the office of the Comptroller for preparation of warrants and end of year income tax withholding documents. Claim and payment may be made in a partnership name only if the partnership furnishes a Federal Employer's Identification Number (EIN).

f) Prizes prize-payment-vouchers-for-prizes in the amount of \$1,000,000 or more claimed by multiple winners playing as partners or as a group, with common ownership of a winning ticket at group time of the prize drawing, must be claimed as a partnership at group time. Payment will be made to partnership members as a single payee, or to each of the individual partners or group members, as requested in writing by the winners and provided that each individual's gross annual payment will equal or exceed \$5,000. Partnership claims shall include the name, address and (if one check is requested) Federal Employer's Identification Number of the partnership, the ticket and claim form must be signed by one of the general partners on behalf of a partnership, and the claim form must be accompanied by a form 5754 setting forth the names, addresses, social security numbers and prize shares of each partner. Prior to payment, the partnership must submit a written partnership agreement evidencing, at a minimum, that an oral agreement for group play existed prior to the purchase of the winning lottery ticket. The partnership agreement shall be subject to review by the Department's legal staff, and may not contain provisions contrary to law. Where separate checks have been requested, the partnership must additionally furnish payment instructions for each partner. Group claims shall include a group name and the address and Social Security Number of the representative signing the ticket and claim form, and be accompanied by a form 5754 setting forth the names, addresses, Social Security Numbers and prize shares of all group members. A group play agreement may additionally be required. Claims by other entities such as corporations or trusts must be in the name of the entity as established prior to ticket purchase. Provide the taxpayer identification number of the entity and be signed by an authorized representative. Payment will be in the name and under the taxpayer identification number of the claimant entity. Upon approval of the Department will then process separate vouchers for payment of the proportionate share due each of the several claimants.

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- g) Lottery clubs, charitable organizations, corporations, partnerships and other "artificial" persons shall be eligible to purchase lottery tickets. However, with respect to awards of prizes for life, such "artificial" persons shall be entitled to the minimum guaranteed prize.
- h) Except as provided herein, for the game commonly known as "Lotto" the Department and the State Treasurer will invest sufficient funds to purchase federal securities equal to the Grand Prize amount, less 1/20th of that amount to be paid in cash at the time of the prize claim (the balance of the prize to be paid in nineteen annual installments). The Grand Prize will be divided by the number of Grand Prize winners to determine the prize amount per winner. If the number of Grand Prize winners is greater than the number of millions of dollars in the advertised Grand Prize, the cash available will be divided by the number of winners and paid in a single lump sum. The amount of lower tier prizes will be determined by dividing each of the prize pools by the number of winners for each respective prize level, and rounding each prize payment down to the nearest fifty cents, unless otherwise provided in game rules.

- i) Payment-of-prize-installments-due-with-respect-to-a-prize--due--a winner--whose-death-occurs--prior-to--payment-of--the--final installment--may-be-accelerated: Any prize, or portion thereof remaining unpaid at the death of a winner, may be paid to the estate of such deceased prize winner, or to the designated trustee under a revocable living trust established by the deceased prize winner, as settlor, provided that a copy of such trust has been filed with the Department, along with a notarized letter of direction from the settlor, and no written notice of revocation has been received by the Department prior to the settlor's death. Following such a settlor's death and prior to any payment to such a successor trustee, the Director shall obtain from the trustee and each trust beneficiary a written agreement to indemnify and hold the Department harmless with respect to any claims that may be asserted against the Department arising from payment to, or through the trust.

- 2) The payment of prize installments due with respect to a prize winner whose death occurs prior to payment of the final installment may be accelerated: At the election of the estate of a successor trustee, the estate or trustee may have the option to request, within six months from the date of death, that the annuity or equivalent investment securities provided by the Department for purposes of generating annual installment prize payments be liquidated to generate the annual installment prize payments to be liquidated to generate the annual installment prize payments to the personal representative of the estate or beneficiary successor trustee, as appropriate. Upon receipt of notice of election to liquidate the remaining prize, if the prize payment has been structured through purchase of an annuity and the annuity contract permits early liquidation, the Department shall

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promptly notify the annuity company and request that the annuity be liquidated and the commuted (check) value be paid to the personal representative or successor trustee. If the Department has procured federal securities to generate income for satisfaction of future prize installments, the Department, as soon as practicable after notification, and without jeopardy to the common investment position of the estate, shall offer such securities for market sale and shall pay the proceeds of such sale to the personal representative of the estate. In connection with payment of future installments, and without jeopardy to the common investment position of the estate, the Department shall offer such securities for market sale and shall pay the proceeds of such sale to the personal representative of the estate. Prior to such distribution, the Department shall deduct from the proceeds of sales such sum as may be required to absorb from the share of the party requesting liquidation, any penalties or losses incidental to sale, and to restore the investment position of securities purchased with respect to any other same-date winners to the position held prior to liquidation. The balance of the proceeds of sale attributable to decedent's prize shall be distributed. Prior to authorizing accelerated liquidation of any prize, the Department shall obtain from each personal representative or successor trustee requesting such liquidation a complete release of any further liability of the Department for further payment with respect to the decedent's prize upon liquidation as provided herein, and the Department in liquidating the investment vehicle for any such prize shall be discharged of any further liability with respect to such prize beyond the amount actually realized through liquidation. Any election pursuant to this subsection must be in writing and shall be irrevocable.

- i) Cash prizes must be claimed within a claim period set by Departmental directive and the game rules establishing claim periods for the respective games offered by the Department. Unclaimed prize money shall be retained by the Director for the person entitled thereto, for the claim period after the date of the drawing in which the prize is won, as established by game rule. Thereafter, said unclaimed prize funds will be managed as provided in statute.
- j) Winning tickets which provide entry into a Preliminary Grand Prize drawing for any instant game must be filed with the Department by the deadline established in the game rules. Entry tickets filed after the preliminary Grand Prize qualification drawing for the game with Preliminary Grand Prize tickets were sold will be entered into the Preliminary Grand Prize drawing pool for the next game drawing subsequent to filing of such tickets, provided that no such ticket will be eligible for entry into a subsequent drawing unless filed with the Department, within 120 days of the date of the game in which the ticket was originally sold, provided however that the Director may establish lesser claim periods for specific games by directive and game rule.

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- k) For prizes in excess of \$10,000, a winner must identify his or her place of employment, if any, to ensure the winner is not prohibited from lottery play by the Act or these rules. For partnership claims, each partner must furnish employment information.
- l) The net revenues accruing from the sale of lottery tickets shall be determined by deducting from total revenues the payments of prizes to holders of winning tickets and payment of costs incurred in the operation and administration of the Department. The Department may transfer income in excess of current operating needs to the Common School Fund.

(Source: Amended at 21 Ill. Reg. 15039, effective NOV 06 1996)

Section 1770-220 Priority of Rules

Official rules as published each January in the *Illinois Register* as specified in Section 71 of the Illinois Lottery Law shall be maintained on file. In the event of a conflict between the official rules and the rules published in the *Illinois Register*, the official rules shall govern. In the event of a conflict between the official rules and the rules published in the *Illinois Register*, the official rules shall govern. In the event of a conflict between the official rules and the rules published in the *Illinois Register*, the official rules shall govern. In the event of a conflict between the official rules and the rules published in the *Illinois Register*, the official rules shall govern.

(Source: Added at 21 Ill. Reg. 15039, effective NOV 06 1996)

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Alternative Loan Program
- 2) Code Citation: 23 Ill. Adm. Code 2721
- 3)

<u>Section numbers:</u>	<u>Adopted Action:</u>
2721.10	New
2721.20	New
2721.30	New
2721.40	New
2721.50	New
2721.60	New
2721.70	New
- 4) Statutory Authority: Implementing Sections 5 and 80 through 175 of the Higher Education Student Assistance Act (110 ILCS 947/5 and 80 through 175) and authorized by Sections 20(f) and 140(a) of the Higher Education Student Assistance Act (110 ILCS 947/20(f) and 140(a)).
- 5) Effective Date of Rules: November 4, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: November 4, 1996
- 9) Date Notice of Proposed Rules was Published in Illinois Register: June 14, 1996, Issue 24, 20 Ill. Reg. 7793
- 10) Has JCAR issued a Statement of Objections to these rule(s)? No
- 11) Differences(s) between proposed and final version: Changes in this rulemaking were merely minor or technical in nature and were made in response to suggestions from JCAR staff.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace emergency rules currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: These rules govern the administration of the new Alternative Loan Program, which supplements existing State and federal student financial assistance programs. This rulemaking sets forth the eligibility criteria for borrowers and educational institutions, program procedures for disbursement and repayment, and outlines the fees to be charged in connection with the making of these loans.

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NOTICE OF ADOPTED RULES

- 16) Information and questions regarding these adopted rules shall be directed to:

Ms. Raquel G. Martinez
Compliance Counsel
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield, IL 60015
(847) 948-8500

The full text of the adopted rules begins on the next page:

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED RULES

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2721

ALTERNATIVE LOAN PROGRAM

Section

2721.10

Summary and Purpose

2721.20

Definitions

2721.30

Borrower Eligibility

2721.40

Institutional Eligibility

2721.50

Program Procedures

2721.60

Procedures for Disbursement and Repayment

2721.70

Fees

AUTHORITY: Implementing Sections 5 and 80 through 175 of the Higher Education Student Assistance Act (110 ILCS 947/5 and 80 through 175) and authorized by Sections 20(f) and 140(a) of the Higher Education Student Assistance Act (110 ILCS 947/20(f) and 140(a)).

SOURCE: Emergency rules adopted at 20 Ill. Reg. 8066, effective June 1, 1996, for a maximum of 150 days; adopted at 21 Ill. Reg. 15061, effective NOV 04 1996.

Section 2721.10 Summary and Purpose

a) In order to make postsecondary educational opportunities more accessible for qualified students, ISAC offers a program of Alternative Loans to supplement existing federal and State student financial assistance programs.

b) This Part establishes the rules which govern Alternative Loans made or administered by ISAC. Additional rules and definitions are contained in General Provisions, at 23 Ill. Adm. Code 2700. Defined terms are indicated by the first letter being capitalized.

(Source: Adopted at 21 Ill. Reg. 15061, effective NOV 04 1996.)

Section 2721.20 Definitions

"Alternative Loan" - Any educational loan made or purchased by ISAC other than a loan made pursuant to Title IV of the Higher Education Act of 1965, as amended (20 U.S.C.A. 1071 et. seq.), or any other federal statute providing for federal insurance of educational loans to borrowers.

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"Co-signer" - A person who is secondarily liable for the repayment of an Alternative Loan.

"Holder" - An organization authorized by ISAC to purchase or retain possession of an educational loan(s). ISAC's Illinois Designated Account Purchase Program (IDAPP) may serve as a holder.

"Lender" - An organization authorized by ISAC to originate an educational loan(s). ISAC's Illinois Designated Account Purchase Program (IDAPP) may serve as a lender.

(Source: Adopted at 21 Ill. Reg. 15061, effective NOV 04 1996)

Section 2721.30 Borrower Eligibility

a) A borrower for an Alternative Loan must be a student, or a parent or legal guardian of such a student, who is:

- 1) Enrolled, or accepted for enrollment, at an ISAC-approved Institution which has certified the Applicant as eligible for an Alternative Loan;
 - 2) Enrolled on at least a half-time basis, unless the student is employed full-time while s/he is in school, in which case s/he may receive a loan while enrolled less than half-time;
 - 3) in good standing in accordance with the Institution's policy of Satisfactory Academic Progress; and
 - 4) a Citizen or Eligible Noncitizen of the United States.
- b) The borrower, or Co-signer if applicable, must be determined to be credit-worthy. In determining credit-worthiness, the Lender shall consider information including, but not limited to, the following: debt-to-income ratio, payment histories, prior loan defaults, unsatisfied court judgments, real estate foreclosures, unsatisfied collection accounts, write-offs or repossessions.

(Source: Adopted at 21 Ill. Reg. 15061, effective NOV 04 1996)

Section 2721.40 Institutional Eligibility

a) Institutions must have executed Program Participation Agreements with ED and with ISAC in order to participate in ISAC-administered Alternative Loan Programs.

b) Institutions must demonstrate administrative capability and financial responsibility, as defined by Federal Regulations (see, e.g., 34 CFR 668.15 and 668.16), in order to begin and to continue participation in ISAC-administered Alternative Loan Programs.

c) Eligible institutions may not have federal cohort default rates, calculated and announced by ED for the three most recent fiscal years,

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in excess of the rates annually established and publicized as acceptable by ISAC.

d) Institutions shall be subject to the audit and investigation conditions outlined in General Provisions, at 23 Ill. Adm. Code 2700.60.

e) Institutions not maintaining the standards of administrative capability or financial responsibility demonstrated in their original application for participation, or required by Federal Regulations, may be subject to administrative limitation, Suspension or Termination proceedings. (See 23 Ill. Adm. Code 2790.)

(Source: Adopted at 21 Ill. Reg. 15061, effective NOV 04 1996)

Section 2721.50 Program Procedures

a) An applicant may apply for an Alternative Loan by submitting an Application and Promissory Note approved by ISAC.

b) The maximum loan amount may not exceed the cost of education for that student at the Institution, less any other student financial assistance received by the student for that loan period.

c) The Institution shall provide the lender with a recommended loan amount for each loan. No Alternative Loan may exceed the Institution's recommended amount.

d) Institutions shall provide the lender with the current enrollment status of students at that Institution who have received Alternative Loans.

(Source: Adopted at 21 Ill. Reg. 15061, effective NOV 04 1996)

Section 2721.60 Procedures for Disbursement and Repayment

a) Prior to disbursement, the borrower, and Co-signer if applicable, shall execute a completed Application and Promissory Note for the loan.

b) The Lender or Holder shall retain a signed original of the Application and Promissory Note until the debt is paid in full.

c) Alternative Loan proceeds shall be transmitted directly to the Institution on behalf of the student. Disbursement may be in the form of an individual check, a master check representing the loan proceeds for more than one student at that Institution, or by electronic funds transfer.

d) Institution may require all individual loan checks to be made co-payable to the borrower and the Institution.

e) The Institution shall supply the Lender with recommended disbursement date(s) and amount(s) for each loan.

f) Prior to initial disbursement of the loan, the Lender shall provide

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the borrower with a disclosure statement which itemizes the amount financed, the interest rate and any corresponding fees.

- g) The terms and conditions set forth in the Application and Promissory Note and the disclosure statement will constitute the entire agreement between the lender and the borrower.

- h) The borrower(s) shall have the right to prepay all or part of an Alternative Loan at any time without penalty.

- i) The Lender or Holder shall notify the borrower of the date on which repayment begins, and such notice shall be sent no later than 30 days before the first payment on the loan is due from the borrower.

- j) No Alternative Loan shall be sold or transferred by a Lender except to an ISAC-approved Lender, or holder, or to ISAC. Such sale shall not change the party to whom payment is made on the loan.

(Source: Adopted at 21 Ill. Reg. 15061, effective NOV 04 1996)

Section 2721.70 Fees

- a) The Lender may charge the borrower an insurance premium on each Alternative Loan, and may deduct this amount from the loan proceeds at the time of disbursement. The amount of the insurance premium may vary according to the credit-worthiness of the borrower, and Co-signer if applicable, and will be disclosed in writing to the borrower prior to the initial disbursement of loan proceeds.

- b) The Lender may charge the borrower a repayment fee on each Alternative Loan. This fee may be assessed on the loan balance, according to the terms specified in the Application and Promissory Note. The amount of the repayment fee will be added to the outstanding balance of the loan.

- c) The Lender may charge the borrower a late fee of up to 5% of the loan balance (principal plus all capitalized interest and fees), if any part of an installment payment is not received by the Lender within 60 days after it becomes due. Additional late charges of up to 5% of the loan balance may be charged for each additional 30 day period if the borrower fails to make any part of an installment payment.

(Source: Adopted at 21 Ill. Reg. 15061, effective NOV 04 1996)

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NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Illinois Incentive for Access (IIA) Program

- 2) Code Citation: 23 Ill. Adm. Code 2736

- 3) Section numbers: Adopted Action:

2736-10 New

2736-20 New

2736-30 New

2736-40 New

2736-50 New

- 4) Statutory Authority: Implementing Section 36 and authorized by Section 20(f) of the Higher Education Student Assistance Act (110 ILCS 947/36 and 20(f)).

- 5) Effective Date of Rules: November 15, 1996

- 6) Does this rulemaking contain an automatic renewal date? No

- 7) Does this rulemaking contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: November 4, 1996

- 9) Date Notice of Proposed Rules was Published in Illinois Register: August 2, 1996, Issue 31, 20 Ill. Reg. 10315

- 10) Has JCAR issued a Statement of Objections to these rules? No

- 11) Differences(s) between proposed and final version: Changes in this rulemaking were merely minor or technical in nature and were made in response to comments from the public or suggestions from JCAR staff.

- 12) Have all the changes urged upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

- 13) Will this rulemaking replace emergency rules currently in effect? Yes. Emergency rules were published at 20 Ill. Reg. 10397, with an effective date of August 1, 1996.

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Rulemaking: These rules govern the administration of the new Illinois Incentive for Access (IIA) Program, which supplements existing State and federal student financial assistance programs. This rulemaking sets forth the eligibility criteria for applicants, program procedures for educational institutions, as well as program procedures for ISAC.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED RULES

- 16) Information and questions regarding these adopted rules shall be directed to:

Ms. Raquel G. Martinez
Compliance Counsel
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield, IL 60015
(847) 948-8500

The full text of the adopted rules begins on the next page:

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED RULES

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2736

ILLINOIS INCENTIVE FOR ACCESS (IIA) PROGRAM

Section	Summary and Purpose
2736.10	Definitions
2736.20	Applicant Eligibility
2736.30	Program Procedures
2736.40	Institutional Procedures
2736.50	

AUTHORITY: Implementing Section 36 and authorized by Section 20(f) of the Higher Education Student Assistance Act (110 ILCS 947/36 and 20(f)).

SOURCE: Emergency rules adopted at 20 Ill. Reg. 10397, effective August 1, 1996, for a maximum of 150 days; adopted at 21 Ill. Reg. 15067, effective NOV 15 1996.

Section 2736.10 Summary and Purpose

- a) The Illinois Incentive for Access (IIA) Program provides grant assistance to freshmen who have a limited ability to pay for college. The purpose of the program is to provide access and retention for this population and, possibly, to reduce their loan debt.
- b) This Part establishes Rules which govern the Illinois Incentive for Access Program. Additional Rules and definitions are contained in the General Provisions Part at 23 Ill. Adm. Code 2700. Defined terms are indicated by the first letter being capitalized.

Section 2736.20 Definitions

"Expected Family Contribution" means the amount the student and the student's family may be reasonably expected to contribute toward the student's postsecondary education. Expected Family Contribution is defined at Section 474 of the Higher Education Act (HEA) of 1965, as amended (20 U.S.C.A. 1087mm).

"Cost of Attendance" is defined at Section 472 of the Higher Education Act (HEA) of 1965, as amended (20 U.S.C.A. 1087mm).

Section 2736.30 Applicant Eligibility

- a) An Applicant applies for an IIA grant by using the form which the United States Department of Education (ED) designates as the application form for federal student financial aid. (See 20 U.S.C.A.

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1070a.) This is also the application form used for the Monetary Award Program (MAP) grant. (See 23 Ill. Adm. Code 2735.30(b).)

- 1) An Applicant must attach to his/her application a letter from the parent(s) of the applicant, signed by the parent(s), stating that the parent(s) is/are aware of the application and that the parent(s) is/are willing to provide financial aid to the applicant.
- 2) An Applicant must provide information on the application regarding income, assets, and non-taxable income (e.g., Aid to Families with Dependent Children, public aid, veterans' benefits or Social Security). This information shall be kept confidential.
- 3) An Applicant must report to the Institution all additional Gift Assistance, such as Tuition waivers and scholarships.
- 4) An Applicant must file his/her application by the deadline date established by ED.
- b) An IIA grant recipient must:
 - 1) be a Citizen or Eligible Noncitizen of the United States;
 - 2) be a Resident of Illinois;
 - 3) be an undergraduate student;
 - 4) be considered by the Institution to be a freshman;
 - 5) be Enrolled at an ISAC-approved college, university or professional college participating in the Monetary Award Program (see 23 Ill. Adm. Code 2735.60);
 - 6) be Enrolled in an eligible degree or certificate program (see 23 Ill. Adm. Code 2735.20(a)(3));
 - 7) be Enrolled on at least a half-time basis by the expiration of the point in the Term when charges are fixed for the Institution;
 - 8) meet Satisfactory Academic Progress criteria as determined by the Institution;
 - 9) have no personal or family financial resources available for expenditure on educational expenses, as defined by current federal student financial aid methodology (i.e., \$0 Expected Family Contribution);
 - 10) not have previously received a baccalaureate degree; and
 - 11) not be incarcerated.
- c) An Applicant determined eligible will receive one non-renewable grant of up to \$500.
- d) The application must be complete at the time the grant is awarded.
- e) It is the responsibility of IIA grant Applicants to gain admission to approved Illinois Institutions. Illinois Institutions are not obligated to admit IIA Applicants.

Section 2736.40 Program Procedures

- a) Claims for IIA-eligible students shall be submitted by the Institution of Record after the Institution of Record certifies to ISAC that the Applicant is an eligible recipient.
- b) IIA grants are paid directly to the Institution of Record in two disbursements consisting of payments of \$250 each term.
- c) IIA grant payment is subject to the limit of dollars appropriated to ISAC by the Illinois General Assembly. If funds are insufficient to

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- pay all claims, grants will be awarded according to the date the completed applications were received until funds have been expended.
- d) ISAC must have accurate data to properly determine an Applicant's eligibility. If changes or corrections are necessary, after receipt of corrected data ISAC shall recalculate awards for those Applicants whose applications are not in agreement with their financial records.
- e) ISAC must submit a written evaluation of the Illinois Incentive for Access Program to the Governor, the General Assembly and the Board of Higher Education on or before October 1, 1999, including a report of the progress made toward the goal of increasing the access and retention rates for IIA grant recipients. Therefore, ISAC may collect data from Institutions to comply with this requirement.
- f) IIA grants are applicable to any expense that is used to calculate the Applicant's Cost of Attendance.
- g) The IIA grant shall not pay for academic programs intended to prepare a student for the General Educational Development (GED) Test or for a high school diploma. (See e.g., 23 Ill. Adm. Code 215.)
- h) The IIA grant shall not pay for audit courses, credit-by-examination and/or life experience, non-credit course offerings (except qualifying remedial courses) or correspondence courses. Such course work cannot be used to meet the half-time requirement. Remedial courses shall be eligible for IIA payment provided the student has been accepted into an eligible degree/certificate program and is taking the remedial courses as a part of that program. Payment shall not be made for more than the equivalent of one year of remedial course work (i.e., 30 semester hours or 45 quarter hours).

Section 2736.50 Institutional Procedures

- a) An Institution is obligated to provide IIA recipients the same facilities and instruction, on the same terms, as those provided to other students.
- b) Benefits derived from the Baccalaureate Savings Act [110 ILCS 920] and the Bonus Incentive Grant (23 Ill. Adm. Code 2771) shall not be included in the calculation of a student's financial need.
- c) Notwithstanding the provisions of other ISAC-administered programs, the total amount of a student's Gift Assistance may not exceed the Institution's Cost of Attendance used to calculate Title IV aid for that student. If a student is receiving both MAP and IIA and the Gift Assistance exceeds the Cost of Attendance, IIA should be used first and MAP should be reduced to prevent an overaward.
- d) The Institution shall indicate his/her Institution of Record on the following:
 - 1) financial aid application
 - 2) The Institution of Record shall distribute the appropriate share of the award to the other Institution(s). Payment by ISAC will not be made to more than one Institution.
 - 3) Concurrent Registration is limited to MAP-approved Institutions.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED RULES

- 4) The recipient's academic record(s) at the Institution of Record must document the total number of credit hours for which the student is Enrolled.
- e) If an Applicant, who has met all eligibility criteria, withdraws from enrollment after the expiration of the Tuition refund/withdrawal adjustment period, the Applicant shall receive the IIA grant payment for that Term.
- f) Institutional Processing of Payments:
 - 1) To provide sufficient time for processing and vouchering through the State Comptroller's Office, all payment requests must be received by ISAC no later than September 1 following the Academic Year due to the State's fiscal year lapse period ending on September 30.
 - 2) Payment requests received after September 1 for the prior Academic Year will be processed as time and available funds permit. However, final action may require an Institution to obtain payment for approved claims through the Illinois Court of Claims. (See the Court of Claims Act [705 ILCS 505].)
 - 3) Within 30 days after receiving payment of any IIA funds, the Institution shall credit the recipient's account for the appropriate Term.
 - 4) IIA award payments in the name of one recipient cannot be applied to another recipient at the same Institution.
 - 5) Following receipt of IIA payments from ISAC for the Term, an Institution is required to reconcile its records. If the Institution determines that refunds are due, they are to be processed and returned to ISAC no later than 60 days following the end of the academic Term. Should the payment arrive after the end of the Term, the Institution will have 60 days following the receipt of payment to complete the reconciliation process and return any funds due.
 - 6) If the Institution does not submit refunds as required by this Section, ISAC will deduct outstanding refunds from subsequent institutional IIA payments.

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Public Information, Rulemaking and Organization
- 2) Code Citation: 2 Ill. Adm. Code 5375
- 3) Section Numbers:

5375.100	Adopted Action:
Amended	
5375.210	Amended
5375.220	Amended
5375.App. A	Amended
- 4) Statutory Authority: Implementing Section 5-15(a) of the Illinois Administrative Procedure Act [5 ILCS 100/5-15(a)] and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/20(f)].
- 5) Effective Date of Rules Amendments: November 15, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: November 4, 1996
- 9) Notice of Proposal Published in Illinois Register: In accordance with Section 5-15 of the Illinois Administrative Procedure Act (IAPA), there is no 45-day public comment period and ISAC is empowered to amend its internal rules simply by filing a certified copy with the Secretary of State. [5 ILCS 100/5-15]
- 10) Has JCAR issued a Statement of Objections to these amendments? In accordance with Section 5-15 of the IAPA, there is no 45-day JCAR comment period and ISAC is empowered to amend these rules simply by filing a certified copy with the Secretary of State. [5 ILCS 100/5-15]
- 11) Differences between Proposed and final version: There were no proposed rules published for this part, as stated in number 9, above.
- 12) Have all the changes aired upon by the agency and JCAR been made as indicated in the amendment letter issued by JCAR? JCAR did not suggest any changes to this part, as stated in number 10, above.
- 13) Will these amendments replace emergency rules currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: The amendments to Section 5375.100 have been adopted to clarify that ISAC's rulemaking procedures apply to parts proposed for the first time as well as amendments to existing rules.

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NOTICE OF ADOPTED AMENDMENTS

Section 5375.210(a) has been modified to mirror the increase in the size of the Commission and to identify the effect that this has on quorum. (See P.A. 89-0419, eff. July 1, 1995.) The amendment to Section 5375.210(a) is adopted simply for clarification purposes. Section 5375.220 and Appendix A have been updated to reflect changes made to the Internal Organization of this agency.

- 16) Information and questions regarding these adopted rules amendments shall be directed to:

Ms. Raquel G. Martinez
Compliance Counsel
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield, IL 60015
(847) 948-8500

The full text of the adopted amendments begins on the next page.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION

SUBTITLE F: EDUCATIONAL AGENCIES

CHAPTER XIV: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 5375

PUBLIC INFORMATION, RULEMAKING AND ORGANIZATION

SUBPART A: PUBLIC INFORMATION

Section
5375.10
Information

SUBPART B: RULEMAKING

Section
5375.100
Rulemaking Procedures

SUBPART C: ORGANIZATION

Section
5375.210
The Commission
5375.220
Agency Organization
5375.230
Procedures for Public Statements at Commission Meetings
APPENDIX A
Organization Chart

AUTHORITY: Implementing Section 5-15(a) of the Illinois Administrative Procedure Act [5 ILCS 100/5-15(a)] and authorized by Section 20(f) of the Higher Education Student Assistance Law [110 ILCS 947/20(f)].

SOURCE: Adopted at 3 Ill. Reg. 4, p. 38, effective January 26, 1979; amended at 4 Ill. Reg. 16, p. 118, effective April 17, 1980; amended at 4 Ill. Reg. 34, p. 208, effective August 9, 1980; amended at 6 Ill. Reg. 8413, effective June 30, 1982; rules repealed and new rules adopted at 8 Ill. Reg. 2505, effective February 10, 1984; amended at 8 Ill. Reg. 17022, effective September 5, 1984; amended at 11 Reg. 17836, effective October 16, 1987; transferred from Chapter XII, 2 Ill. Adm. Code 5275 (Illinois Student Assistance Commission) to Chapter XIV, 2 Ill. Adm. Code 5375 (Illinois Student Assistance Commission) pursuant to P.A. 86-168, effective July 1, 1989, at 13 Ill. Reg. 17867; amended at 16 Ill. Reg. 7497, effective April 22, 1992; amended at 18 Ill. Reg. 11384, effective August 1, 1995; amended at 20 Ill. Reg. 13073, effective November 15, 1996.

SUBPART B: RULEMAKING

Section 5375.100 Rulemaking Procedures

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

- a) The Illinois Student Assistance Commission promulgates rules in accordance with the Illinois Administrative Procedure Act (5 ILCS 100).
- b) ISAC staff shall develop proposed rules and submit them for public comment through publication in the Illinois Register. All written public comments submitted on proposed ISAC rules and amendments are presented to the Commission for consideration. The Executive Director may recommend changes in the proposed rules based upon comments received.
- c) The Commission may hold a special hearing for the purpose of receiving public comments on the proposed rules, and may appoint a member of the staff to serve as a hearing officer to conduct such a hearing.
- d) After receiving the Executive Director's recommendation and the written comments from the public, the Commission shall vote whether to accept, modify or reject the proposed rules and amendments. After disposition by the Commission, the Executive Director shall submit the proposed rules and amendments for review by the Joint Committee on Administrative Rules (JCAR).
- e) After the expiration of the JCAR review period, the proposed rules and amendments are re-submitted to the Commission for approval and adoption. Rules and amendments adopted by the Commission are filed with the Office of the Secretary of State and published in the Illinois Register.
- f) The Executive Director may promulgate Emergency and Peremptory Rules and amendments in accordance with the Illinois Administrative Procedure Act.

(Source: Amended at 20 Ill. Reg. 15073, effective November 15, 1996)

SUBPART C: ORGANIZATION

Section 5375.210 The Commission

- a) When the Commission consists of ten appointed and confirmed members, a quorum shall be six. When the Commission consists of nine or eight members a quorum shall be five. When the Commission's active membership is reduced to seven or less members, the quorum shall be four.
- b) Commissioners are appointed by the Governor with the advice and consent of the Senate. (See Section 15 of the Higher Education Student Assistance Act [110 ILCS 947/15].) While a gubernatorial appointment is pending Senate approval, the Commissioner designee will be invited to attend and observe Commission meetings at ISAC's expense but will not vote.
- c) A Vice-Chairman shall be elected by the Commission. A new election for Vice-Chairman shall occur whenever the term of the incumbent Vice-Chairman expires or whenever the Governor designates a new

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

- Chairman. The Vice-Chairman shall preside at all meetings in the absence of the Chairman. In the absence of the Chairman and the Vice-Chairman, the senior member present in length of service since original appointment shall assume the chair to conduct business.
- d) Any expenses incurred by members to attend out-of-state meetings or out-of-state public appearances shall be approved in advance by the Chairman.
- e) The Commission shall convene approximately six times per year. All Commission meetings shall be conducted in accordance with the Open Meetings Act (5 ILCS 120/1.01).
- f) Matters on which the Commission shall deliberate and vote shall include, but not be limited to, the following:
 - 1) Formula for determining grant eligibility for the Monetary Award Program (see: 23 Ill. Adm. Code 2735.30);
 - 2) Budget requests which are submitted to the General Assembly for appropriation;
 - 3) Budget for the operations of the Illinois Designated Account Purchase Program;
 - 4) Issuance of bonds pursuant to Section 145 of the Education Loan Purchase Program law [110 ILCS 947/14525];
 - 5) Rate of the insurance premium on guaranteed student loans (see: 23 Ill. Adm. Code 2720.80);
 - 6) Salary and terms of employment of the Executive Director and salary ranges for other ISAC employees; and
 - 7) Promulgation of rules, in accordance with Section 5375.100.
- g) The Chairman shall have the authority to determine all procedural issues incident to Commission action. Should a Commissioner dispute the action of the Chairman, the Commission shall refer to the Rules of Order, Newly Revised, for the appropriate method of resolution.

(Source: Amended at 20 Ill. Reg. 15073, effective November 15, 1996)

Section 5375.220 Agency Organization

- a) The locations and telephone numbers for ISAC offices are as follows:
 - 1) 1755 Lake Cook Road, Deerfield, Illinois 60015-5209, (847)948-9480;
 - 2) 100 W. Randolph Suite 3-200, Chicago, Illinois 60601-3293, (312) 814-3745; and
 - 3) 500 West Monroe, 3rd floor, Springfield, Illinois 62704-1876, (217) 782-6767.
- b) Agency officers' and directors' offices are located as follows:
 - 1) Deerfield - Chief Program Officer; Claims & Collections; Program Services; Management Information Services; Policy-Implementation and Compliance; Administration Accounting Deputy Program Officer; IDAP and Capital Development; Deputy Director for External Relations; Administrative Services; Internal Audit; Accounting;

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NOTICE OF ADOPTED AMENDMENTS

and Human Resources and Development; and Deputy-Director-for

- 2) Chicago-Internal Counsel; and
 3) Springfield-Executive Director; Client and Federal Relations; Student Relations; Research, Planning and Policy Analysis; and Budget and Finance --Research--Planning--and--Policy--Analysis--and--Public--Information.

c) ISAC's organizational structure is illustrated on the chart labeled Appendix A of this Part.

d) The Commission has delegated to ISAC staff responsibility for the administration of all ISAC programs. See: 23 Ill. Adm. Code: Subtitle A, Chapter XIX. ISAC staff actions and decisions are reviewable by the Commission. See: 23 Ill. Adm. Code 2700.70.

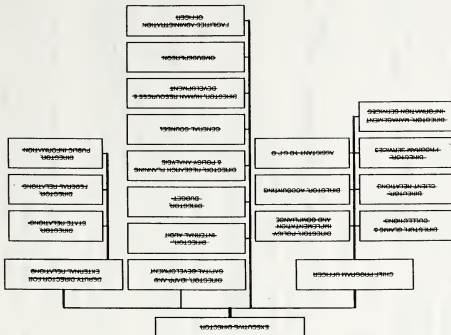
e) The Executive Director and his or her designee have authority to approve expenditures and contracts. The Commission, by resolution, may also delegate signatory authority to other members of the ISAC staff.

(Source: Amended at 20 Ill. Reg. 15078, effective November 15, 1996)

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

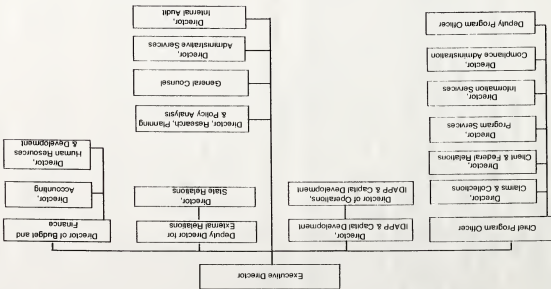
Section 5375.APPENDIX A Organization Chart



ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

Section 5375.APPENDIX A Organization Chart



- 1) Heading of the Part: Public Library Construction Grants
- 2) Code Citation: 23 Ill. Adm. Code 3060
- 3)

Section Number:	Emergency Action:
3060.100	Amendment
3060.400	Amendment
3060.500	Amendment
3060.600	Amendment
3060.800	Amendment
- 4) Statutory Authority: Implementing Section 3 of the Capital Development Bond Act of 1972 [30 ICS 420/3] and authorized by Sections 3 and 8 of the Illinois Library System Act [75 ICS 10/3 and 8].
- 5) Effective Date of Amendment: November 7, 1996
- 6) If the Emergency Amendment is to expire before the end of the end of the 150-day period, please specify the date on which it is to expire: Not applicable.
- 7) Date Filed in Agency's Principal Office: November 7, 1996
- 8) Reason for Emergency: Pressing needs in Illinois public libraries for renovation projects necessitate emergency rules to enable the libraries to apply for special grants under the construction program.
- 9) A Complete Description of the Subjects and Issues Involved: The rules are revised to provide that up to 10% of the funding can be set aside for mini-grants of \$5,000 or less, to clarify the qualifications of a library building consultant; and to update the edition of Illinois public library standards currently in effect.
- 10) Are There Any Other Proposed Amendments Pending on This Part? No
- 11) Statement of Statewide Policy Objectives: The emergency amendment enables public libraries to receive funding for important library remodeling and refurbishing projects as well as identify the role of the library building consultant. A reference to the Illinois public library standards is also updated.
- 12) Information and questions regarding this Emergency Amendment shall be directed to:

Ms. Kathleen L. Bloomberg
Associate Director for Administration
Illinois State Library
300 S. Second Street

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NOTICE OF EMERGENCY AMENDMENTS

Springfield, IL 62701-1796

217/785-0032

217/782-6082 FAX

Abloom@library.sos.state.il.us INTERNET

The full text of the Emergency Amendments begins on the next page:

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NOTICE OF EMERGENCY AMENDMENTS

TITLE 31: EDUCATION AND CULTURAL RESOURCES

SUBTITLE B: CULTURAL RESOURCES

CHAPTER I: SECRETARY OF STATE

PART 3060

PUBLIC LIBRARY CONSTRUCTION GRANTS

SUBPART A: INTRODUCTION

Section
3060.100
PROGRAM PURPOSE
EMERGENCY
3060.200
Duty to Administer
3060.400
Definitions
EMERGENCY

SUBPART B: GRANT APPLICATION

Section
3060.500
Priorities in Library Grant Construction Proposals
EMERGENCY
3060.600
Grant Funding Limitations
EMERGENCY
3060.700
The Chicago Public Library Branches
3060.800
Grant Application Procedure
EMERGENCY
3060.900
Requirements and Conditions of Grant Funds
3060.1000
Remodeling for Accessibility
3060.1100
Disbursement of Grant Funds

SUBPART C: APPEAL PROCEDURE

Section
3060.2000
Appeal Procedure

APPENDIX A EDA Qualified Areas (Repealed)

AUTHORITY: Implementing Section 3 of the Capital Development Bond Act of 1972 [30 ILCS 420/3] and authorized by Sections 3 and 8 of the Illinois Library System Act [75 ILCS 10/3 and 8].

SOURCE: Emergency rules adopted and codified at 7 Ill. Reg. 2017, effective January 28, 1985, for a maximum of 180 days; emergency expired June 27, 1985; adopted at 111. Reg. 2510, effective February 11, 1985; Part repealed, new Part adopted by emergency action at 911. Reg. 4560, effective March 20, 1985, for a maximum of 90 days; emergency expired August 17, 1985; Part repealed, new Part adopted at 911. Reg. 15004, effective September 25, 1985; emergency amendment at 911. Reg. 17885, effective November 4, 1985, for a maximum of

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150 days; emergency expired April 3, 1986; amended at 10 Ill. Reg. 20002, effective November 19, 1986; amended at 12 Ill. Reg. 11264, effective July 1, 1988; emergency amendment at 17 Ill. Reg. 18687, effective October 12, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 4996, effective March 14, 1994; amended at 19 Ill. Reg. 12493, effective August 22, 1995; amended at 20 Ill. Reg. 13076, effective November 7, 1996; emergency amendment at 20 Ill. Reg. **15081**, effective September 20, 1996, for a maximum of 150 days.

SUBPART A: INTRODUCTION

Section 3060.100 Program Purpose

EMERGENCY

To establish a program of matching State grants to aid in paying for the construction costs of public libraries and facilities for library systems within Illinois. Local money except as provided in (c) below will be matched by State grants based on the category of grant as follows:

- Remodeling for Accessibility. Special projects where 70% - 100% of total project funds are to be used specifically for remodeling an existing building as outlined in Section 3060.1000. The State's share shall be 50% of the project's total cost.
- Projects involving new construction, additions to and/or remodeling of existing buildings, energy conservation projects, and renovation projects, including projects involving shared use of public facilities. For shared use public facilities, the costs allocated to the public library portion of the building are the only costs eligible for reimbursement under this grant program. The State's share shall be a maximum of 40% of the project's total cost.
- Mini-grants. Special grants to enable public libraries with limited funds to remodel or refurbish the library. These projects include (but are not limited to) new carpeting, new furnishings, remodeling and interior or exterior painting. Libraries receiving mini-grants must address legal requirements for making the building accessible to the handicapped in areas affected by the mini-grant.

(Source: Emergency amendment at 20 Ill. Reg. **15081**, effective November 7, 1996, for a maximum of 150 days)

Section 3060.400 Definitions

EMERGENCY

For the purposes of this Part:

"Act" means the Illinois Library System Act [75 ILCS 10].

"Application round" means the period in which applications for grants are available to prospective applicants and completed applications are reviewed and grants awarded. Prospective grant applicants may apply

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during any round offered.

"Appropriation" means the amount of funds actually approved by the General Assembly for a particular fiscal year and allocated to fund the construction grant program under Section 8 of the Illinois Library System Act.

"Construction" includes, but is not limited to:

The construction of new public library and library systems buildings.

The acquisition, expansion, remodeling and/or alteration of existing buildings.

The purchase of initial equipment for new buildings or existing buildings which are being expanded, remodeled, or altered, under this grant.

Any combination of such activities (including architect's fees and the cost of the site if acquired in the last 2 years).

"Equipment" includes:

Machinery, utilities and built-in equipment and any necessary enclosures or structures to house them, and all other items necessary for the functioning of a particular facility as a library or as a library system facility. By way of illustration, "equipment" includes, for example, fixtures, furnishings, shelving, and carpeting. "Equipment" does not include, for example, books, periodicals, films, or recordings.

"Inter-system reciprocal borrowing" means reciprocal borrowing transactions involving a lending library and a patron registered as borrower at a library in another system.

"Library" means a tax-supported public library within an Illinois Library System. "Library" also means a branch library of a main library facility.

"Library building consultant" refers to an individual, chosen by the library, with a Master's degree in library science from a library school accredited by the American Library Association and prior experience in at least one library construction project.

"Library system" means an organization defined at Section 2 of the Library System Act.

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"political unit" refers to the local governing authority.

"public libraries with limited funds" refers to public libraries which would have received an income of less than \$15 per capita in the preceding fiscal year by using a formula whereby the library's equalized assessed valuation is multiplied by .138 and divided by the population of the library's service area.

"State fiscal year" means the period from July 1 through June 30.

(Source: Emergency amendment at 20 Ill. Reg. 15081, effective November 7, 1996, for a maximum of 150 days)

SUPPLEMENT B: GRANT APPLICATION

Section 3060.500 Priorities in Library Grant Construction Proposals

EMERGENCY

Library grant funds for library building construction in any one round will be awarded according to the following priorities:

a) Renodeling for accessibility projects as outlined in Section 3060.1000. A minimum of 25% of the available funding will be allocated to this priority except during those application rounds when the amount of grant funds requested for accessibility projects is less than 25% of the available funding.

b) Up to 10% of available funding in a fiscal year will be allocated for mini-grants for public libraries.

c) Projects involving new construction, additions to and/or remodeling of existing buildings, energy conservation projects, and renovation projects, including projects involving shared use of public facilities.

d) Library buildings which received any state or federal construction funding, whether under a library construction grant program or a specific appropriation, during the three prior state fiscal years and current state fiscal year.

(Source: Emergency amendment at 20 Ill. Reg. 15081, effective November 7, 1996, for a maximum of 150 days)

Section 3060.600 Grant Funding Limitations

EMERGENCY

Fiscal limitations on library building construction grants under Section 8 of the Illinois Public Library System Act shall include the following:

a) The public libraries in any one county shall not receive more than 50% of the funding in each application round unless there are insufficient applications from libraries in other counties to expend the entire appropriation. Grants to library systems shall not be included in

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calculating this 50% limitation.

b) The maximum grant for each library political unit shall be \$250,000 per annual funding cycle unless there are insufficient applications from other political units to expend the entire appropriation. This subsection (b) shall not be used to award grants in excess of the maximum grants per project specified in subsection (d) (4) below.

c) The minimum grant awarded for mini-grants shall be \$5,000. The minimum grant awarded for projects other than mini-grants and remodeling for accessibility shall be \$25,000. The maximum grant awarded for remodeling for accessibility projects shall not exceed \$35,000. The maximum grant awarded for other projects shall not exceed \$75,000.

d) The maximum grant awarded for mini-grants shall not exceed \$35,000. The maximum grant awarded for remodeling for accessibility projects shall not exceed \$75,000. The maximum grant awarded for other projects shall not exceed \$250,000.

e) For projects of a unique nature or resulting from a disaster, the Secretary of State, on the advice of the Illinois State Library Advisory Committee, may raise the ceiling, or award less than the minimum grant amount, make a special grant award and/or allow for consecutive years of funding.

(Source: Emergency amendment at 20 Ill. Reg. 15081, effective November 7, 1996, for a maximum of 150 days)

Section 3060.800 Grant Application Procedure

EMERGENCY

The following application procedures shall apply:

a) An "Intent to Apply" letter shall be submitted to the respective Regional Planning Commission in advance of the application for a construction grant. A copy of the reply from the applicable Regional Planning Commission and a copy of the "Intent to Apply" letter shall be submitted to the Illinois State Library.

b) The Illinois State Library shall issue application forms for library construction grants under this program.

c) Applying libraries and library systems shall submit the completed library construction grant application together with the following documents or written assurances to be eligible for library construction grants although some of the documentation and written assurances may be waived in the application for mini-grants described in Section 3060.100(c) of this Part:

- 1) An assurance that the real estate affected by the proposed construction is available to the library or library system.
- 2) The legal description of the affected real estate.
- 3) An assurance that other funds are available or how they will be secured by the library. Funds which will be available upon the grant award may include a mortgage commitment letter from a

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- lender or a promise to donate funds. Assurances from the applicant that various fund-raising activities will be undertaken in the future, where the amount to be raised remains uncertain, shall not be counted as part of the local matching funds for the purposes of Section 3060.100.
- 4) An assurance that the library will expend 90% of Secretary of State library construction grant funds within 12 months after the execution of the grant agreement. The final 10% of grant funds will be reimbursed upon receipt by the State Library of the close-out report, including the final audit, if applicable.
 - 5) A building program including preliminary construction plans. For projects with a total cost of over \$150,000, a library building consultant must work with the library in developing the building program.
 - 6) A site plan of the proposed building.
 - 7) An estimated cost per square foot (for additions and new construction).
 - 8) A statement describing the necessity for the proposed project.
 - 9) A statement of plans to meet existing library standards of service to the community. The standards for public library service are: *Chicago Public Library Association* (1997), "Serving Our Public: Standards for Illinois Public Libraries" - Chicago, IL; *Illinois Library Association* (1996). The material incorporated by reference includes no later amendments or editions. This subsection shall not apply to library systems.
 - 10) A description of the project's potential contribution to the improvement of library services within the library's area of service and in any other portions of the State.
 - 11) An assurance that the library will secure a fidelity bond naming the Office of the Illinois Secretary of State as the exclusive beneficiary an amount equal to 1.25 times the grant awarded. (The amount of the construction work will be performed by the lump sum (fixed price) contract.)
 - 12) An assurance that the library will publicly announce all requirements for architectural, engineering, and land surveying services and procure these services on the basis of demonstrated competence and qualifications and negotiate contracts at fair and reasonable prices.
 - 13) An assurance that the library will employ adequate methods of obtaining competitive bidding will be employed prior to awarding the construction contract, either by public advertising or circulating three or more bidders; and that the award of the contract will be made to the responsible bidder submitting the lowest acceptable bid.
 - 14) An assurance that all laborers and mechanics employed by the contractor or subcontractors on all construction projects assisted by the Act shall be paid wages at rates not less than those prevailing on similar construction in the locality, as

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- determined by the Illinois Department of Labor in accordance with the Prevailing Wage Act [820 ILCS 130].
- 16) An assurance that a copy of the building permit shall be supplied to the Illinois State Library prior to the actual construction and that the permit shall be posted in a prominent place on the construction site.
 - 17) An assurance that all contractors and subcontractors shall comply with the provision of the Copeland Anti-Kick Back Act (40 U.S.C. 276c (1982)) supplemented in U.S. Department of Labor regulations (29 CFR 3 (1985)). The material incorporated by reference includes no later amendments or editions.
 - 18) An assurance that contractors and subcontractors shall comply with all applicable provisions of the Illinois Human Rights Act, [775 ILCS 5] and all Federal and State laws, rules, and regulations which prohibit discrimination because of race, color, religion, sex, marital status, national origin, ancestry, age, and physical or mental handicap.
 - 19) An assurance that architectural, engineering and land surveying contracts will be made in accordance with the Local Government Professional Services Selection Act [50 ILCS 510].
 - 20) An assurance that construction contracts signed by both the Library board (or library system board) and contractors will be prepared on standard American Institute of Architecture (AIA) forms that are submitted to the Illinois State Library prior to the start of construction; also, all subcontractors and perform work in accordance with the conditions and standards contained in the contract awarded by the board and the Illinois State Library. The Illinois State Library shall have the right to disapprove any such contracts between the library board or library system board and contractors if:
 - A) The bidding procedure outlined in subsection (c)(11) was not followed.
 - B) The conditions and standards specified in the contract between the Illinois State Library and the library board are not incorporated into the contracts between the library board or library system board and the contractors.
 - 21) An assurance that a revised budget will be prepared after bids have been accepted and will be submitted to the Illinois State Library for approval prior to actual construction. Such approval will be based on the exercise of professional judgment to insure that the provision of library services will not be harmed by the changes reflected in the revised budget. Such approval will also be based on the reduction in the contingency line item from 5% in the original budget to 2% of total project cost in the revised budget. Grant monies awarded are based on the amount specified in the original budget; grant awards will not be increased because of subsequent increases in revised budgets.
 - 22) An assurance that a plaque will be placed in the completed

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building stating that State funds administered by the Secretary of State and State Librarian were used for the building's construction.

- 23) An assurance that permits any agent authorized by the Illinois State Library, upon presentation of credentials to, in accordance with the constitutional limitation on administrative searches, have full access to and the right to examine any records, books, papers, or documents, of the grantee involving transactions related to the grant.

- 24) An assurance that the construction will commence within 140 days after the effective date of the grant contract, and that the Project will be completed within a reasonable length of time.

- 25) An assurance that a sign will be displayed on the construction site stating that State funds administered by the Secretary of State and State Librarian are being used for the construction.

- 26) An assurance that the following reports and records will be completed and transmitted to the Illinois State Library: Monthly reports of interest earned on grant funds, quarterly narrative and financial reports; notification within 15 days of completion of the project; a close-out report which is a final financial and narrative report within 90 days after the completion of the Project; and other reports and documents, such as prevailing wage rates and receipts to verify vouchers, as reasonably may be required by the State.

- A) Financial reports shall show the amount of authorized State and local funds, interest earned on grant funds, expenditures made from grant funds and interest earned on grant funds, obligated funds amount and by percentage of items actually completed compared to the original budget.

- B) Narrative reports shall state the progress of the Project, accomplishments to date, problems encountered, objectives met and unmet, changes implemented, and the percentage of completion of the Project to date.

- C) The close-out report shall evaluate the degree to which the grantee achieved the goals and objectives of the Project. The close-out report shall include a project audit report which shall be completed by an independent certified public accountant or accounting firm using generally accepted accounting principles. The project audit report shall include financial statements and compliance statements (which indicate that grant monies have been obligated in compliance with applicable laws and regulations of the State of Illinois and this Part).

- 27) An assurance that the building will remain in use as a public library or library system facility for not less than twenty years after its construction unless other use is approved by the Illinois State Library.

- 28) An assurance letter from the Historic Preservation Agency stating

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENTS

the project is in compliance with all of the requirements related to the National Register of Historic Places.

- 29) An assurance letter from the Illinois State Water Survey Division of the Illinois Department of Energy and Natural Resources stating that the project site is not located in a Special Flood Hazard Area. If the project site is located in a Special Flood Hazard Area, the applicant shall submit an assurance letter from the Division of Water Resources, the Illinois Department of Transportation, stating that the project meets the requirements of Executive Order 79-4 regarding flood damages.

- 30) An assurance that any change in the Plans and Specifications requiring a work change order will be submitted to the Illinois State Library; any change order of \$10,000 or more will be submitted to the Illinois State Library for approval prior to being effected. The change order will be approved if the change does not have an adverse impact on library services.

- 31) An assurance that any interest earned on the grant funds will be expended, without limitation or exception, exclusively on the subject construction project.

- d) All applications will be considered by the Illinois State Library Advisory Committee in accordance with the provisions of this Part.

(Source: Emergency amendment at 20 Ill. Reg. November 7, 1996, for a maximum of 150 days)

15081

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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1) Heading of Part: Pay Plan2) Code Citation: 80 Ill. Adm. Code 3103) Section Number: Peremptory Action:
310 Appendix A, Table I Amended4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which requires this Peremptory Rulemaking: Section 1-5(d) of the Illinois Administrative Procedure Act [5 ILCS 100/1-5(d)]5) Statutory Authority: 20 ILCS 415/8 and 8a.6) Effective Date: November 7, 19967) A Complete Description of the Subjects and Issues Involved: In Section 310 Table I RC-009 (Institutional Employees, AFSCME), the abolished Children's Shelter Care Associate title is being deleted, effective October 16, 1996.8) Does this rulemaking contain an automatic repeal date? No9) Date Filed in Agency's Principle Office: November 7, 199610) Is this Rule in compliance with Section 5-50 of the Illinois Administrative Procedures Act? Yes11) Are there any proposed amendments pending to this part? Yes

Section Numbers	Proposed Action	Ill. Reg. Citation
310.100	Amended	20 Ill. Reg. 13102 (October 11, 1996)
310.270	Amended	20 Ill. Reg. 13102 (October 11, 1996)
310.280	Amended	20 Ill. Reg. 13102 (October 11, 1996)
310.290	Amended	20 Ill. Reg. 13102 (October 11, 1996)
310 App. A, Table D	Amended	20 Ill. Reg. 13102 (October 11, 1996)
310 App. A, Table J	Amended	20 Ill. Reg. 13102 (October 11, 1996)
310.230	Amended	20 Ill. Reg. (November 7, 1996)

12) Statement of Statewide Objectives: These amendments to the Pay Plan

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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pertain only to State employees subject to the Personnel Code and do not set out any guidelines that are to be followed by local or other jurisdictional bodies within the State.

13) The name, address and telephone number of the person to whom information and questions concerning this peremptory rule shall be directed to:
Within 45 days, comments should be written and addressed to:

Mr. Michael Murphy
Department of Central Management Services
Division of Technical Services
504 William G. Stratton Building
Springfield, Illinois 62706
217/782-5601

The full text of the Peremptory Amendment begins on the next page:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
 SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
 POSITION CLASSIFICATIONS
 CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section
 310.20 Policy and Responsibilities
 310.30 Jurisdiction
 310.40 Pay Schedules
 310.50 Definitions
 310.60 Conversion of Base Salary to Pay Period Units
 310.70 Conversion of Base Salary to Daily or Hourly Equivalents
 310.80 Increases in Pay
 310.90 Decreases in Pay
 310.100 Other Pay Provisions
 310.110 Implementation of Pay Plan Changes for Fiscal Year 1997
 310.120 Interpretation and Application of Pay Plan
 310.130 Effective Date
 310.140 Reinstitution of Within Grade Salary Increases
 310.150 Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section

310.205 Introduction
 310.210 Prevailing Rate
 310.220 Negotiated Rate
 310.230 Part-Time Daily or Hourly Special Services Rate
 310.240 Hourly Rate
 310.250 Member, Patient
 310.260 Trainee Rate
 310.270 Legislated and Contracted Rate
 310.280 Designated Rate
 310.290 Out-of-State or Foreign Service Rate
 310.300 Educator Schedule for RC-063 and HR-010
 310.310 Physician Specialist Rate
 310.320 Annual Compensation Ranges for Executive Director and Assistant
 310.330 Executive Director, State Board of Elections
 Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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Section
 310.410 Jurisdiction
 310.420 Objectives
 310.430 Responsibilities
 310.440 Merit Compensation Salary Schedule
 310.450 Procedures for Determining Annual Merit Increases
 310.455 Intermittent Merit Increase
 310.456 Merit Zone (Repealed)
 310.460 Other Pay Increases
 310.470 Adjustment
 310.480 Decreases in Pay
 310.490 Other Pay Provisions
 310.500 Decrossed and Pay Range Classes
 310.510 Definitions
 310.520 Conversion of Base Salary to Pay Period Units
 310.530 Conversion of Base Salary to Daily or Hourly Equivalents
 310.540 Implementation
 310.550 Annual Merit Increase Guidechart for Fiscal Year 1995
 Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

APPENDIX A

TABLE A

Negotiated Rates of Pay
 HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)
 HR-200 (Department of Natural Resources, Teamsters)
 RC-069 (Firefighters, AFSCME)
 HR-001 (Teamsters Local #726)
 RC-020 (Teamsters Local #330)
 RC-019 (Teamsters Local #25)
 RC-045 (Automotive Mechanics, IPFE)
 RC-006 (Corrections Employees, AFSCME)
 RC-009 (Institutional Employees, AFSCME)
 RC-014 (Clerical Employees, AFSCME)
 RC-023 (Registered Nurses, INA)
 RC-008 (Boilermakers)
 RC-110 (Conservation Police Lodge)
 RC-010 (Professional Legal Unit, AFSCME)
 RC-028 (Paraprofessional Human Services Employees, AFSCME)
 RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IPFE)
 RC-033 (Meat Inspectors, IPFE)
 RC-042 (Residual Maintenance Workers, AFSCME)
 HR-012 (Fair Employment Practices Employees, SEIU)
 HR-010 (Teachers of Deaf, IFT)
 HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
 CU-500 (Corrections, Meat and Confer Employees)
 RC-062 (Technical Employees, AFSCME)

TABLE Q

TABLE R

TABLE S

TABLE T

TABLE U

TABLE V

TABLE W

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NOTICE OF PEREMPTORY AMENDMENT

TABLE X RC-063 (Professional Employees, AFSOME)
 TABLE Y RC-063 (Educators, AFSOME)
 TABLE Z RC-063 (Physicians, AFSOME)
 APPENDIX A Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 1997
 APPENDIX B Medical Administrator Rates for Fiscal Year 1995
 APPENDIX C Merit Compensation System Salary Schedule for Fiscal Year 1995
 APPENDIX D Teaching Salary Schedule (Repealed)
 APPENDIX E Physician and Physician Specialist Salary Schedule (Repealed)
 APPENDIX F Broad-Band Pay Range Classes Salary Schedule
 APPENDIX G

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1987; codified at 8 Ill. Reg. 1588; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11295, effective June 28, 1984; emergency amendment at 8 Ill. Reg. 12816, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 13007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15557, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21310, effective October 14, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3320, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 13675, effective July 31, 1986; emergency amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 19132, effective October 28, 1986; emergency amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; emergency amendment at 11 Ill. Reg.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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3363, effective February 3, 1987; emergency amendment at 11 Ill. Reg. 4386, effective February 27, 1987; emergency amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 9787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective June 1, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 17, 1987; emergency amendment at 11 Ill. Reg. 15273, effective September 1, 1987; emergency amendment at 11 Ill. Reg. 17919, effective October 19, 1987; emergency amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; emergency amendment at 12 Ill. Reg. 3811, effective January 27, 1988; emergency amendment at 12 Ill. Reg. 5459, effective January 27, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; emergency amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 8135, effective April 22, 1988; emergency amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11776, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 16, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13357, amended at 12 Ill. Reg. 1630, effective September 6, 1988; amended at 12 Ill. Reg. 20594, effective November 28, 1988; emergency amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; emergency amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10067, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647, emergency amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; emergency amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; emergency amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; emergency amendment at 14 Ill. Reg. 18854, effective November 13, 1990; emergency amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14,

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1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; preemptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; preemptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; preemptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; preemptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; preemptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; preemptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; preemptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; preemptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective February 17, 1995; preemptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 16, 1995; preemptory amendment at 19 Ill. Reg. 3414, effective March 14, 1995; amended at 19 Ill. Reg. 4532, effective May 2, 1995; preemptory amendment at 19 Ill. Reg. 4688, effective May 1, 1995; amended at 19 Ill. Reg. 7881, effective June 1, 1995; amended at 19 Ill. Reg. 8136, effective June 12, 1995; amended at 19 Ill. Reg. 11959, effective August 1, 1995; amended at 19 Ill. Reg. 12000, effective August 1, 1995; preemptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; preemptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27,

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1996, for a maximum of 150 days; preemptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; preemptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; preemptory amendment at 20 Ill. Reg. 10992, effective September 24, 1996; preemptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PERMISSORY AMENDMENT

Section 310-APPENDIX A Negotiated Rates of Pay

Section 310-TABLE I RC-009 (Institutional Employees, AGENCY)

Effective July 1, 1994

	S T E P S		
	1a	1	2
Activity Program Aide I	1412	1454	1511
Activity Program Aide II	1456	1500	1557
Apparel/Dry Goods Specialist I	1456	1500	1557
Apparel/Dry Goods Specialist II	1552	1599	1661
Apparel/Dry Goods Specialist III	1775	1828	1909
Attendant	1412	1454	1511
Children's Shelter Care Associate	1726	1778	1846
Clinical Laboratory Associate	1546	1592	1647
Clinical Laboratory Phlebotomist	1495	1540	1592
Clinical Laboratory Technician I	1724	1776	1853
Clinical Laboratory Technician II	1885	1942	2024
Commissary Clerk	1444	1487	1535
Commissary Manager I	1490	1535	1582
Commissary Manager II	1609	1657	1721
Cook I	1490	1535	1582
Cook II	1594	1642	1700
Educator Aide	1775	1828	1909
Florist II	1775	1828	1909
Institutional Maintenance Worker	1594	1642	1700
Laboratory Assistant	1399	1441	1490
Laboratory Associate I	1724	1776	1853
Laboratory Associate II	1885	1942	2024
Licensed Practical Nurse I	1664	1714	1780
Licensed Practical Nurse II	1746	1798	1867
Locksmith	1367	2026	2112
Mental Health Technician	1456	1500	1557
Mental Health Technician II	1552	1599	1661
Mental Health Technician III	1609	1657	1721
Mental Health Technician IV	1664	1714	1780
Mental Health Technician V	1726	1778	1846
Mental Health Technician VI	1746	1798	1867
Mental Health Technician Trainee I	1360	1401	1441
Musician	1609	1657	1721
Pest Control Operator	1709	1760	1825
Physical Therapy Aide I	1412	1454	1511
Physical Therapy Aide II	1552	1599	1661
Physical Therapy Aide III	1726	1778	1846
Rehabilitation Workshop	1609	1657	1721

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Instructor I

Rehabilitation Workshop	1792	1846	1927	1999
Instructor II	1726	1778	1846	1920
Residential Care Worker Trainee	1399	1647	1710	1771
Security Therapy Aide I	1943	2001	2085	2170
Security Therapy Aide II	2132	2196	2282	2365
Security Therapy Aide III	2226	2296	2382	2465
Security Therapy Aide Therapy	1609	1657	1721	1787
Social Service Aide I	1726	1778	1846	1920
Social Service Aide II	1726	1778	1846	1920
Social Service Aide Trainee	1399	1647	1710	1771
Support Services Supervisor I	1650	1700	1760	1823
Support Services Supervisor II	1775	1828	1909	1982
Support Services Worker I	1444	1487	1535	1581
Support Services Worker II	1536	1582	1642	1691
Transportation Coordinator	2030	2091	2177	2274
Transportation Officer I	2132	2196	2292	2385
Veterans Nursing Assistant - Certified	1609	1657	1721	1787
S T E P S (cont.)				
4 5 6 7				
Activity Program Aide I	1632	1696	1760	1846
Activity Program Aide II	1680	1746	1813	1900
Apparel/Dry Goods Specialist I	1680	1746	1813	1900
Apparel/Dry Goods Specialist II	1790	1860	1932	2027
Apparel/Dry Goods Specialist III	2056	2131	2206	2330
Attendant	1632	1696	1760	1846
Children's Shelter Care Associate	1992	2070	2149	2267
Clinical Laboratory Associate	1763	1820	1881	1982
Clinical Laboratory Phlebotomist	1700	1753	1810	1901
Clinical Laboratory Technician I	1993	2063	2138	2256
Clinical Laboratory Technician II	2187	2267	2353	2484
Commissary Clerk	1632	1683	1731	1818
Commissary Manager I	1689	1740	1795	1882
Commissary Manager II	1856	1927	2001	2100
Cook I	1689	1740	1795	1882
Cook II	1819	1879	1942	2048
Educator Aide	2056	2131	2206	2330
Florist II	2056	2131	2206	2330
Institutional Maintenance Worker	1819	1879	1942	2048
Laboratory Assistant	1582	1635	1680	1768
Laboratory Associate I	1993	2063	2138	2256
Laboratory Associate II	2187	2267	2353	2484
Licensed Practical Nurse I	1920	1994	2072	2176
Licensed Practical Nurse II	2017	2094	2174	2265
Locksmith	2291	2378	2469	2609

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Mental Health Technician	1680	1745	1813	1900
Mental Health Technician II	1790	1860	1932	2027
Mental Health Technician III	1856	1927	2001	2100
Mental Health Technician IV	1920	1994	2072	2176
Mental Health Technician V	1992	2070	2149	2267
Mental Health Technician VI	2017	2094	2174	2285
Mental Health Technician Trainee I	1535	1578	1623	1707
Musician	1856	1927	2001	2100
Pest Control Operator	1968	2046	2112	2224
Physical Therapy Aide I	1632	1696	1760	1846
Physical Therapy Aide II	1790	1860	1932	2027
Physical Therapy Aide III	1992	2070	2149	2267
Rehabilitation Workshop	1856	1927	2001	2100
Instructor I				
Instructor II	2078	2153	2231	2375
Residential Care Worker	1992	2070	2149	2267
Residential Care Worker Trainee	1838	1897	1962	2066
Security Therapy Aide I	2259	2344	2434	2568
Security Therapy Aide II	2491	2587	2688	2845
Security Therapy Aide III	2608	2713	2815	2980
Security Therapy Aide IV	1909	1981	2049	2155
Security Therapy Aide V	1856	1927	2001	2100
Social Service Aide I	1992	2070	2149	2267
Social Service Aide II	1856	1927	2001	2100
Social Service Aide Trainee	1582	1635	1680	1766
Support Services Supervisor I	1893	1959	2025	2134
Support Services Supervisor II	2056	2131	2206	2330
Support Services Worker I	1632	1683	1731	1818
Support Services Worker II	1752	1808	1865	1961
Support Services Coordinator	2365	2457	2550	2697
Transportation Officer I	2491	2587	2688	2845
Veterans Nursing Assistant - Certified	1856	1927	2001	2100

Effective January 1, 1995

	S T E P S			
	1a	1	2	3
Apparel/Dry Goods Specialist III	1938	1996	2081	2162
S T E P S (cont.)				
	4	5	6	7
	2250	2334	2412	2549

1/Entry level step for current Fiscal Year.

Effective July 1, 1995

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	S T E P S			
	1a	1b	2	3
Activity Program Aide I	1412	1454	1498	1556
Activity Program Aide II	1456	1500	1545	1604
Apparel/Dry Goods Specialist I	1456	1500	1545	1604
Apparel/Dry Goods Specialist II	1552	1599	1647	1711
Apparel/Dry Goods Specialist III				
Attendant	1938	1996	2056	2143
Children's Shelter Care Associate	1412	1454	1498	1556
Clinical Laboratory Associate	1726	1778	1831	1901
Clinical Laboratory Phlebotomist	1546	1592	1640	1696
Clinical Laboratory Technician I	1495	1540	1586	1640
Clinical Laboratory Technician II	1724	1776	1829	1909
Commissary Clerk	1885	1942	2000	2085
Commissary Manager I	1444	1487	1532	1581
Commissary Manager II	1490	1535	1581	1629
Cook I	1609	1657	1707	1773
Cook II	1490	1535	1581	1629
Educator Aide	1594	1642	1691	1751
Florist II	1775	1828	1883	1966
Institutional Maintenance Worker	1594	1642	1691	1751
Laboratory Assistant	1399	1441	1484	1535
Laboratory Associate I	1724	1776	1829	1909
Laboratory Associate II	1885	1942	2000	2085
Licensed Practical Nurse I	1709	1760	1813	1880
Licensed Practical Nurse II	1792	1846	1901	1985
Locksmith	1967	2026	2087	2175
Mental Health Technician I	1456	1500	1545	1604
Mental Health Technician II	1552	1599	1647	1711
Mental Health Technician III	1609	1657	1707	1773
Mental Health Technician IV	1664	1714	1765	1833
Mental Health Technician V	1726	1778	1831	1901
Mental Health Technician VI	1746	1798	1852	1923
Mental Health Technician Trainee I	1360	1401	1443	1535
Musician	1609	1657	1707	1773
Pest Control Operator	1709	1760	1813	1880
Physical Therapy Aide I	1412	1454	1498	1556
Physical Therapy Aide II	1552	1599	1647	1711
Physical Therapy Aide III	1726	1778	1831	1901
Rehabilitation Workshop	1609	1657	1707	1773
Rehabilitation Workshop Trainee I				
Rehabilitation Workshop Trainee II	1792	1846	1901	1985
Residential Care Worker	1726	1778	1831	1901
Residential Care Worker Trainee	1599	1647	1696	1761
Security Therapy Aide I	1943	2001	2061	2148

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

Security Therapy Aide II	2132	2196	2263	2361	2457
Security Therapy Aide III	2226	2293	2362	2469	2577
Security Therapy Aide Trainee	1660	1710	1761	1827	1896
Social Service Aide I	1792	1858	1937	1973	1841
Social Service Aide II	1399	1443	1484	1535	1584
Social Service Aide Trainee	1650	1700	1751	1813	1878
Support Services Supervisor I	1775	1828	1883	1966	2041
Support Services Supervisor II	1444	1487	1532	1581	1628
Support Service Worker I	1536	1582	1629	1691	1743
Support Service Worker III	2030	2091	2154	2242	2342
Transportation Coordinator	2132	2196	2262	2361	2457
Transportation Officer I	1609	1657	1707	1773	1841
Veterans Nursing Assistant - Certified					
Activity Program Aide I	1681	1747	1813	1901	
Activity Program Aide II	1730	1798	1867	1957	
Apparel/Dry Goods Specialist I	1730	1798	1867	1957	
Apparel/Dry Goods Specialist II	1844	1916	1990	2088	
Apparel/Dry Goods Specialist III					
Attendant	2318	2404	2484	2625	
Children's Shelter Care Associate	1681	1747	1813	1901	
Clinical Laboratory Associate	2052	2132	2213	2335	
Clinical Laboratory Phlebotomist	1816	1875	1937	2041	
Clinical Laboratory Technician I	1751	1806	1864	1958	
Clinical Laboratory Technician II	2053	2125	2202	2324	
Clinical Laboratory Technician III	2253	2335	2424	2559	
Commissary Clerk	1681	1733	1783	1873	
Commissary Manager I	1740	1792	1849	1938	
Commissary Manager II	1912	1985	2061	2163	
Cook I	1740	1792	1849	1938	
Cook II	1874	1935	2000	2109	
Educator Aide	2118	2195	2272	2400	
Florist II	2118	2195	2272	2400	
Institutional Maintenance Worker	1874	1935	2000	2109	
Laboratory Assistant	1629	1684	1730	1819	
Laboratory Associate I	2053	2125	2202	2324	
Laboratory Associate II	2253	2335	2424	2559	
Licensed Practical Nurse I	2027	2107	2175	2291	
Licensed Practical Nurse II	2140	2218	2298	2446	
Locksmith	2360	2449	2543	2697	
Mental Health Technician I	1730	1798	1867	1957	
Mental Health Technician II	2058	2138	2218	2361	
Mental Health Technician III	1812	1886	1961	2068	
Mental Health Technician IV	2140	2218	2298	2446	
Mental Health Technician V	2052	2132	2213	2335	

S T E P S (cont.)

4 5 6

7

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

Mental Health Technician Trainee I	1893	1954	2021	2128
Musician	2327	2414	2507	2645
Pest Control Operator	2566	2665	2769	2930
Physical Therapy Aide I	2686	2794	2899	3059
Physical Therapy Aide II	1966	2040	2110	2200
Physical Therapy Aide III	1912	1985	2061	2163
Rehabilitation Workshop	2052	2132	2213	2335
Rehabilitation I				
Rehabilitation II	1629	1684	1730	1819
Rehabilitation III				
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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

NOTICE OF PEREMPTORY AMENDMENT

Commissary Clerk	1444	1487	1532	1578	1628	1677
Commissary Manager I	1490	1535	1581	1628	1678	1740
Commissary Manager II	1609	1657	1707	1758	1826	1896
Cook I	1490	1535	1581	1628	1678	1740
Cook II	1594	1642	1691	1742	1804	1863
Educator Aide	1775	1828	1883	1939	2025	2102
Florist II	1775	1828	1883	1939	2025	2102
Institutional Maintenance Worker	1594	1642	1691	1742	1804	1863
Laboratory Assistant	1399	1441	1484	1529	1581	1632
Laboratory Associate I	1724	1776	1829	1884	1966	2037
Laboratory Associate II	1885	1942	2000	2060	2148	2228
Licensed Practical Nurse I	1709	1760	1813	1867	1936	2015
Licensed Practical Nurse II	1792	1846	1901	1958	2045	2121
Locksmith	1967	2026	2087	2150	2240	2336
Mental Health Technician I	1456	1500	1545	1591	1652	1717
Mental Health Technician II	1552	1599	1647	1696	1762	1829
Mental Health Technician III	1609	1657	1707	1758	1826	1896
Mental Health Technician IV	1664	1714	1765	1818	1888	1963
Mental Health Technician V	1726	1778	1831	1886	1958	2037
Mental Health Technician VI	1746	1798	1852	1908	1981	2060
Mental Health Technician Trainee I	1360	1401	1443	1486	1529	1581
Musician	1609	1657	1707	1758	1826	1896
Pest Control Operator	1709	1760	1813	1867	1936	2015
Physical Therapy Aide I	1412	1454	1498	1543	1603	1667
Physical Therapy Aide II	1552	1599	1647	1696	1762	1829
Physical Therapy Aide III	1726	1778	1831	1886	1958	2037
Rehabilitation Workshop	1609	1657	1707	1758	1826	1896
Instructor I	1702	1846	1901	1958	2045	2121
Rehabilitation Workshop	1609	1657	1707	1758	1826	1896
Instructor II	1726	1778	1831	1886	1958	2037
Residential Care Worker	1599	1647	1696	1747	1814	1879
Residential Care Worker Trainee	1943	2001	2061	2123	2212	2302
Security Therapy Aide I	2132	2196	2262	2330	2432	2531
Security Therapy Aide II	2226	2293	2362	2433	2543	2654
Security Therapy Aide III	1650	1710	1761	1814	1882	1955
Security Therapy Aide Trainee	1609	1657	1707	1758	1826	1896
Social Service Aide I	1726	1778	1831	1886	1958	2037
Social Service Aide II	1399	1441	1484	1529	1581	1632
Social Service Aide Trainee	1650	1700	1751	1804	1867	1934
Support Service Supervisor I	1775	1828	1883	1939	2025	2102
Support Service Supervisor II	1444	1487	1532	1578	1628	1677
Support Service Worker I	1536	1582	1629	1678	1742	1795
Support Service Worker II	2030	2091	2154	2219	2309	2412
Transportation Coordinator	2132	2196	2262	2330	2432	2531
Transportation Officer I	1609	1657	1707	1758	1826	1896
Veterans Nursing Assistant -						

Certified

Certified	4	5	6	7
Activity Program Aide I	1731	1799	1867	1938
Activity Program Aide II	1782	1852	1923	2016
Apparel/Dry Goods Specialist I	1899	1973	2050	2151
Apparel/Dry Goods Specialist II	2182	2261	2340	2472
Apparel/Dry Goods Specialist III	2388	2476	2559	2704
Attendant	1731	1799	1867	1938
Childrean's Shelter-Gare-Associate	2114	2196	2279	2405
Clinical Laboratory Associate	1870	1931	1993	2102
Clinical Laboratory Phlebotomist	1804	1860	1920	2017
Clinical Laboratory Technician I	2115	2189	2268	2394
Clinical Laboratory Technician II	2321	2405	2497	2636
Commissary Clerk	1731	1799	1867	1938
Commissary Manager I	1792	1846	1904	1996
Commissary Manager II	1969	2045	2123	2228
Cook I	1792	1846	1904	1996
Cook II	1930	1993	2060	2172
Educator Aide	2182	2261	2340	2472
Florist II	2182	2261	2340	2472
Institutional Maintenance Worker	1930	1993	2060	2172
Laboratory Assistant	1678	1735	1792	1874
Laboratory Associate I	2115	2189	2268	2394
Laboratory Associate II	2321	2405	2497	2636
Licensed Practical Nurse I	2088	2170	2240	2360
Licensed Practical Nurse II	2204	2285	2367	2519
Locksmith	2431	2522	2619	2768
Mental Health Technician I	1852	1932	2016	2168
Mental Health Technician II	1982	2063	2153	2321
Mental Health Technician III	1969	2045	2130	2308
Mental Health Technician IV	2037	2116	2198	2308
Mental Health Technician V	2114	2196	2279	2405
Mental Health Technician VI	2140	2222	2306	2425
Mental Health Technician Trainee I	1628	1674	1722	1811
Musician	1969	2045	2123	2228
Pest Control Operator	2088	2170	2240	2360
Physical Therapy Aide I	1731	1799	1867	1938
Physical Therapy Aide II	1899	1973	2050	2151
Physical Therapy Aide III	2114	2196	2279	2405
Rehabilitation Workshop	1969	2045	2123	2228
Instructor I	2204	2285	2367	2519
Rehabilitation Workshop	2114	2196	2279	2405
Instructor II	2114	2196	2279	2405
Residential Care Worker	2114	2196	2279	2405

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

Residential Care Worker Trainee	1950	2013	2082	2192
Security Therapy Aide I	2397	2486	2582	2724
Security Therapy Aide II	2643	2745	2852	3018
Security Therapy Aide III	2767	2878	2986	3161
Security Therapy Aide Trainee	2025	2101	2173	2287
Social Service Aide I	1969	2045	2123	2228
Social Service Aide II	2114	2196	2279	2405
Social Service Aide Trainee	1678	1735	1782	1874
Support Service Supervisor I	2009	2079	2149	2264
Support Service Supervisor II	1822	1881	1940	2022
Support Service Worker I	1731	1785	1836	1929
Support Service Worker II	1859	1918	1979	2081
Transportation Coordinator	2509	2607	2706	2861
Transportation Officer I	2643	2745	2852	3018
Veterans Nursing Assistant - Certified	1969	2045	2123	2228

3/Entry level step in third year of contract

(Source: Peremptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996)

DEPARTMENT OF PUBLIC AID

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

1)

Heading of the Part: MediPlan Plus

2)

Code Citation: 89 Ill. Adm. Code 142

3)

Register Citation to Notice of Proposed Amendments: October 11, 1996 (20 Ill. Reg. 13156)

4)

Date, Time and Location of Public Hearing:

Wednesday, December 4, 1996
 10:00 A.M. to 3:00 P.M.
 University of Illinois at Chicago
 Chicago Illinois Union
 Chicago Room B, Second Floor
 828 South Wolcott
 Chicago, Illinois

Thursday, December 5, 1996
 10:00 A.M. to 3:00 P.M.
 University of Illinois at
 Springfield
 Conference Room A/B
 Lower Level in the Public
 Affairs Center
 Springfield, Illinois

5) Other Pertinent Information:

The Department is scheduling these public hearings in response to many requests from hospitals, interested persons and other entities, concerning the Department's proposed amendments for the implementation of a managed care program, MediPlan Plus. Two hearings have been scheduled to accommodate interested persons on a statewide basis. The public hearings will be for the sole purpose of gathering public comment on the proposed amendments. The first hearing will be held on Wednesday, December 4, 1996, at 10:00 A.M. to 3:00 P.M. at the University of Illinois at Chicago, Chicago Room B, Second Floor, 828 South Wolcott, Chicago, Illinois. The second hearing will be held on Thursday, December 5, 1996, at 10:00 A.M. to 3:00 P.M. at the University of Illinois at Springfield, Conference Room A/B, Lower Level in the Public Affairs Center, Springfield, Illinois. The Department will be managing the health care needs of approximately 1.1 million Medicaid clients. This new system of integrated health care services, which has been developed under the authority of Public Act 88-554, is intended to reflect the focus of the managed care legislation to assure that Illinois has an effective and affordable health care system in place for Medicaid clients.

Individuals who plan to present testimony are asked to contact the following person by letter, fax or telephone prior to the date of the hearing at which they plan to present testimony. This prior notification of intent to present testimony is requested, but not required.

Kenneth E. Mitchell
 Bureau of Rules and Regulations
 Department of Public Aid
 100 South Grand Avenue East
 Springfield, Illinois 62762
 Telephone: (217) 524-0081
 FAX: (217) 524-2397

Persons interested in presenting testimony are advised that the Department

DEPARTMENT OF PUBLIC AID

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

will adhere to the following procedures in the conduct of the hearings:

1. Individuals will be recognized to present testimony in the order in which their notifications of intent to present testimony are received by the Department.
2. Individuals presenting oral testimony are asked to provide a written (preferably typed) copy of their testimony at the time the oral testimony is presented. No oral testimony will be accepted without a written copy of the testimony being provided.
3. Each person presenting oral testimony will be limited to fifteen minutes for the presentation of such testimony.
4. No person will be recognized to speak for a second time until all persons wishing to testify have done so.
5. All testimony will conclude at the time specified for the end of the hearing. An individual presenting testimony at that time will be allowed a reasonable time to complete the presentation.

DEPARTMENT OF LABOR

NOTICE OF REFUSAL
TO MEET THE OBJECTION OF THE JOINT COMMITTEE
ON ADMINISTRATIVE RULES

- 1) **Heading of the Part:** Minimum Wage Law
- 2) **Code Citation:** 56 Ill. Adm. Code 210
- 3) **Section Numbers:** 210.925
Proposed Action: Refusal
- 4) **Date of Proposal Published in the Illinois Register:** August 2, 1996, 20 Ill. Reg. 10234
- 5) **Date JCAR Statement of Objection Published in the Register:** November 1, 1996, 20 Ill. Reg. 14291
- 6) **Summary of Action Taken by the Agency:**

On August 2, 1996, the Illinois Secretary of State published the above-referenced proposed rulemaking in the *Illinois Register*. On September 17, 1996, the Director of the Illinois Department of Labor (IDOL) convened a public hearing to gather comments on the proposed rulemaking. No interested parties (i.e., members of the public or organizations representing small business) attended the hearing. IDOL received no comments on the rulemaking.

On October 15, 1996, the Joint Committee on Administrative Rules (JCAR) issued an objection concerning Section 210.925 of the proposed rulemaking. Section 210.925 permits IDOL to grant continuances before and during informal investigative conferences convened under the Minimum Wage Law (MWL). JCAR's objection states that IDOL "failed to provide standards governing what shall be considered 'good cause' in granting continuances of informal investigative conferences, contrary to Section 5-20 of the IAPA."

IDOL respectfully disagrees with the objection. There are three elements to IDOL's decision not to modify or withdraw the proposed rule and to proceed with its implementation.

First, Section 210.925 provides standards for IDOL's implementation of its discretionary authority to grant continuances in informal investigative conferences under the MWL. Section 5-20 of the IAPA requires that: "[e]ach rule that implements a discretionary power to be exercised by an agency shall include the standards by which the agency shall exercise the power. The standards shall be stated as precisely and clearly as practicable under the conditions to inform fully those persons affected." [5 ILCS 100/5-20] (1994).

An agency may comply with IAPA Section 5-20 through rulemaking,

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case-by-case adjudication, or by simply announcing its new principles or policies in a press release. See e.g., *Rofra v. Ill. Dep't of Pub. Aid*, 168 Ill. App. 3d 139, 322 N.E.2d 644, 648-49 (1st Dist. 1986). Section 5-20 does not require an agency to adopt specific standards for a myriad of different situations. See e.g., *Ill. Bank & Trust Co. v. Ill. Dep't of Revenue*, 773 N.E.2d 1989, 1997, 189 Ill. App. 3d 797, 426 Ill. App. 2d 770, 773 (2d Dist. 1989), *rev'd*, 401 Ill. 2d 164, 238 N.E.2d 390, 397 (1967). Furthermore, Section 5-20 allows an agency to balance the practicality of precise standards for every possible situation with the necessity of the agency to retain flexibility in its decisionmaking process. See e.g., *Esalona v. Bd. of Trustees*, 127 Ill. App. 3d 357, 469 N.E.2d 297, 300-01 (1st Dist. 1984).

The history of Part 210 suggests that JCAB implicitly recognizes the necessity for IDOL to make fact based determinations (on a case-by-case basis) when the agency exercises its discretionary authority to convene informal investigative conferences under the WM. Compare *Certificate of no Objection to Proposed Rulemaking* (Apr. 18, 1995) and 56 Ill. Adm. Code 210.900-210.970 (1996) (Subpart 1: Informal Investigative Conference on Inspection Results) with *Letter from Scott Miller to Matt Rice* 3 (March 21, 1995) ("Preliminary Inquiries on the Minimum Wage Law Rulemaking") (addressing the application of IAPA Section 5-20 to Part 210's informal investigative process).

Moreover, "[t]here is no absolute right to a continuance in an administrative proceeding, the agency possessing broad discretion in determining whether to allow a delay in the proceedings." *Bickham v. Dep't of Prof. Reg.*, 216 Ill. App. 3d 453, 576 N.E.2d 975, 977 (1st Dist. 1991) (quoting *Wegmann v. Dep't of Reg. & Ed.*, 61 Ill. App. 3d 352, 377 N.E.2d 1297, 1301 (1st Dist. 1978)). An agency must exercise such discretion judiciously and not arbitrarily. See *Rasky v. Dep't of Reg. & Ed.*, 87 Ill. App. 3d 580, 410 N.E.2d 69, 76 (1980).

Applying this logic to the language contained in Section 210.925, the proposed rulemaking provides IDOL with a practical guide for its case-by-case administration of continuances for informal investigative conferences under the WM. Specifically, Section 210.925 identifies the persons and activities subject to regulation, the harm sought to be prevented, and the general means IDOL intends to use to prevent the identified harm. See *Stofer v. Motor Vehicle Casualty Co.*, 68 Ill. 2d 361, 369 N.E.2d 875, 879 (1977) (delegation of legislative authority/specificity of standards); *Granite City Div., Nat'l Steel Co. v. Ill. Pollution Control Bd.*, 135 Ill. 2d 149, 613 N.E.2d 719, 723-27 (1993) (applying statutory analysis to ascertain the validity of rules).

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Second, Section 210.925 is consistent with IDOL's regulatory language under other statutes that the agency administers. This is important because IDOL does not want to burden parties to the agency's informal investigative conferences with inconsistent rules and procedures.

Section 210.925 harmonizes IDOL's administration of continuances in informal investigative conferences under the WM with its administration of continuances with similar hearings under the Illinois Wage Payment and Collection Act (IWPCA) and the Right to Privacy in the Workplace Act (RPWA). Compare Proposed Section 210.925, 20 Ill. Reg. 10254.10262 (Aug. 2, 1996) with 56 Ill. Adm. Code 300.960 and 360.180 (1996) (IWPCA and RPWA, respectively). The IWPCA regulation on continuances reflects the Illinois Chamber of Commerce's comments and recommendations on the subject. See e.g., *Second Notice: Part 300, Payment & Collection of Wages* of *Final Compensation* (July 14, 1992). JCAB did not object to IDOL's use of similar language in the agency's current IWPCA and RPWA regulations, or IDOL's proposed regulation for continuances under the Personnel Records Review Act.

Third, Section 210.925 facilitates the resolution of scheduling conflicts and other problems for employers and witnesses. Currently, IDOL does not have a regulation concerning the granting of continuances before the agency convenes an informal investigative conference under the WM. Parties to such proceedings have requested pre-conference continuances. In the absence of a regulation on the subject, IDOL does not grant such continuances.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of November 6, 1996 through November 11, 1996 and have been scheduled for review by the Committee at its December 17, 1996 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views on the proposed rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield, IL 62706.

Second Notice Expires	Agency and Rule	Start Of First Notice	JCAR Meeting
12/20/96	Department of Public Aid, Aid to Families with Dependent Children (89 Ill Adm Code 112)	8/16/96 20 Ill Reg 10766	12/17/96
12/20/96	Department of Public Aid, Demonstration Programs (89 Ill Adm Code 170)	8/16/96 20 Ill Reg 10778	12/17/96
12/20/96	Department of Public Aid, Aid to Families with Dependent Children (89 Ill Adm Code 112)	9/13/96 20 Ill Reg 12326	12/17/96
12/22/96	Department of Agriculture, Eggs and Egg Products (8 Ill Adm Code 65)	9/20/96 20 Ill Reg 12538	12/17/96
12/22/96	Illinois Racing Board, Claiming Races (11 Ill Adm Code 510)	8/9/96 20 Ill Reg 10548	12/17/96

PROCLAMATIONS

96-551

CHICAGO INDUSTRIAL COMMUNICATIONS ASSOCIATION, INC. CONGRATULATED

Whereas, the Chicago Industrial Communications Association (CICA) began in 1946 when Steward Bear of Sears Roebuck and Company contacted five of the area communications specialists to meet and discuss mutual problems and concerns; and

Whereas, CICA is a non-profit organization which promotes the exchange of ideas and information among telecommunications professionals; and

Whereas, the purpose of CICA is to advance the cause of good telecommunications and management through free exchange of information and experiences, continuing education of its members, and through meetings, periodic seminars, conferences and exhibitions; and

Whereas, CICA, the oldest telecommunications association in the country, is celebrating its 50th anniversary;

Therefore, I, Jim Edgar, Governor of the State of Illinois, extend best wishes and sincere congratulations to the Chicago Industrial Communications Association, Inc. on its golden anniversary.

Issued by the Governor October 11, 1996.

Filed by the Secretary of State October 28, 1996.

96-552

CONDELL MEDICAL CENTER DAY

Whereas, the 5th Annual Condeall Medical Center Benefit Committee is sponsoring a Gala on November 1, 1996, that will kick off a full-year celebration of Condeall Medical Center's 70th year of service; and

Whereas, the proceeds from this Gala will fund the purchase of a surgical microscope which will be used for delicate eye, hand, reconstructive and neurosurgery; and

Whereas, construction began on Condeall Medical in 1927 with a donation willed by Elizabeth Condeall to be used to construct a community hospital; and

Whereas, Condeall was primarily a "laying in" hospital for new mothers and babies, and in 1952, the Franklin and Francella Noble wing was added to the east end of the building; and

Whereas, additional major construction in 1961 and 1981 and continuing through to the present has expanded Condeall Medical Center to its present 187-bed acute care hospital, a 72,000 square foot health club on medical center grounds, the Medical Center Health Institute, dedicated to fitness and wellness, a network of Acute Care Centers located throughout the service area, an expanding accredited Home Health Services division, and the innovative Condeall Day Center for Intergenerational Care;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 1, 1996, as CONDEALL MEDICAL CENTER DAY in Illinois.

Issued by the Governor October 11, 1996.

Filed by the Secretary of State October 28, 1996.

96-553

HEALTHCARE QUALITY WEEK

Whereas, the quality of the healthcare system of the United States of America is a matter of deep concern to all Americans; and

Whereas, there is great governmental concern regarding the maintenance of high quality standards for this country's healthcare system; and

Whereas, responsibility for the quality of this country's healthcare system rests largely with healthcare quality professionals; and

Whereas, the National Association for Healthcare Quality has established a special week to celebrate healthcare quality;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 20-26, 1996, as **HEALTHCARE QUALITY WEEK** in Illinois.

Issued by the Governor October 11, 1996.

Filed by the Secretary of State October 18, 1996.

96-554

MONARCH AWARDS FOUNDATION DAY

Whereas, Alpha Kappa Alpha Sorority is America's first Greek-letter organization for Black women founded at Howard University in 1908 and currently is comprised of more than 130,000 college trained women in 850 chapters in 48 states; and

Whereas, the Monarch Awards Foundation was established in 1988 by the Xi Nu Omega chapter of Alpha Kappa Alpha through which all programs and fund-raising efforts are sponsored; and

Whereas, all monies raised are channeled back into the community for scholarships and donation to non-profit organizations; and

Whereas, the Monarch Gala: "A Tribute to Black Men" is sponsored annually by the Monarch Awards Foundation to salute its outstanding African-American men in the Chicagoland area whose contributions to their profession, society and mankind have long merited special recognition;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 2, 1996, as **THE MONARCH AWARDS FOUNDATION DAY** in Illinois in honor of the members of the Xi Nu Omega chapter and their continued hard work and dedication to our citizens.

Issued by the Governor October 11, 1996.

Filed by the Secretary of State October 18, 1996.

96-555

CHICAGO TEEN CHALLENGE DAYS

Whereas, Chicago Teen Challenge is a non-profit organization incorporated in the State of Illinois; and

Whereas, Chicago Teen Challenge operates a 14-month residential program to help people caught in gangs, drug addiction, and alcohol abuse to become whole persons in a broken world; and

Whereas, a study conducted by the National Institute on Drug Abuse found that a Teen Challenge program had an 86 percent cure rate for heroin addiction; and

Whereas, a 1992 Study found that 67 percent of the graduates of a Teen Challenge program are still abstaining from the use of both alcohol and drugs 13 years later; and

Whereas, for the last 35 years, Chicago Teen Challenge has made substantial contributions to the health and welfare of thousands of Illinois

citizens; and

Whereas, Chicago Teen Challenge will celebrate 35 years of service at its annual banquet on October 28th and 29th and will announce the opening of a Women's Teen Challenge Center in Chicago;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 28-29, 1996, as **CHICAGO TEEN CHALLENGE DAYS** in Illinois and commend Chicago Teen Challenge on its worthwhile efforts.

Issued by the Governor October 15, 1996.

Filed by the Secretary of State October 28, 1996.

96-556

DIABETES MONTH

Whereas, more than 16 million Americans have diabetes, an incurable disease that impairs the body's ability to convert food sugar into energy; and

Whereas, more than 610,000 Illinois residents have diabetes and more than half of those residents are undiagnosed; and

Whereas, diabetes is the fourth-leading cause of death by disease in the United States and the seventh leading cause of death among Illinois residents; and

Whereas, in this year alone, more than 625,000 Americans will develop diabetes and 178,000 will die from it, including a disproportionate number of Hispanic Americans, African Americans, and Native Americans; and

Whereas, people with diabetes have a high risk of developing serious complications, such as blindness, kidney disease, heart attack, and stroke; and

Whereas, an increase in community awareness of diabetes, new research findings, and the American Diabetes Association may stimulate public action in increasing research toward a cure and spur individual awareness about who is susceptible to diabetes; before they are confronted with one of its complications which can threaten their lives;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 1996 as **DIABETES MONTH** in Illinois.

Issued by the Governor October 15, 1996.

Filed by the Secretary of State October 28, 1996.

96-557

LEAGUE OF BLACK WOMEN DAY

Whereas, the League of Black Women was founded by Dr. Arnita Y. Boswell in 1971, with the purpose of enhancing the lives of African-American women and strengthening their communities; and

Whereas, the League of Black Women has been active in the community in many ways; in 1971, they established the first Rape Crisis Hot Line on the South Side of Chicago; in 1985, they began honoring African-American men and women who epitomized the League of Black Women ideals of career development, community involvement, and political education with a Black Rose Award; in 1990, they established the Rosebud Award scholarship for college-bound high school students; and in 1994, the League began hosting a "Youth Committed to Excellence in Leadership Breakfast" to honor high school students who pursue academic excellence and who provide service to the community; and

Whereas, most recently, the League of Black Women has implemented

mentoring programs to aid African-American female ex-offenders in rejoining their families assisting them with education opportunities and employment. Whereas, the League of Black Women will celebrate its 25th Anniversary Black Rose Awards Celebration Dinner with the theme, "Linkages: Continuing the Dream," on November 16, 1996;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 16, 1996, as LEAGUE OF BLACK WOMEN DAY in Illinois.

Issued by the Governor October 15, 1996.
Filed by the Secretary of State October 28, 1996.

96-558

NER TAMID CONGREGATION OF NORTHTOWN DAY

Whereas, Ner Tamid Congregation of Northtown will be celebrating its 60th Anniversary with a Jubilee from November 1996 through November 1997; and Whereas, Ner Tamid Congregation of Northtown began in 1936 with a group of persons dedicated to their faith and focused on achieving their dream of a House of Worship; and

Whereas, Ner Tamid Congregation of Northtown was able to begin construction on its own House of Worship in 1940; and Whereas, Ner Tamid Congregation of Northtown has continually been an important contributor to the community in which it is located; and

Whereas, Ner Tamid Congregation has continued to be a large part of its members' daily lives; and

Whereas, Ner Tamid Congregation will present a special program, "Operation Eternal Light," in honor of the refurbishment of the sanctuary on January 5, 1997;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim January 5, 1997, as NER TAMID CONGREGATION OF NORTHTOWN DAY in Illinois.

Issued by the Governor October 15, 1996.
Filed by the Secretary of State October 28, 1996.

96-559

SUMMIT PARK DISTRICT COMMEMORATED

Whereas, Summit Park District will be celebrating its 50th Anniversary on November 6, 1996; and

Whereas, for the past 50 years, Summit Park District has provided both active and passive recreation for both residents and non-residents; and

Whereas, Summit Park District is committed to providing for the needs of the population into the next decade;

Therefore, I, Jim Edgar, Governor of the State of Illinois, commend Summit Park District for its hard work and dedication during its 50 years of service.

Issued by the Governor October 15, 1996.
Filed by the Secretary of State October 28, 1996.

96-560

AMERICAN EDUCATION WEEK

Whereas, American Education Week was established in 1921 and is designated to increase public understanding and appreciation of the nation's

schools, to encourage parents and nonparents to visit schools and to build civic and community pride and support for education; and

Whereas, sponsors for this year's American Education Week are the U.S. Department of Education, the National Education Association, the National Parent Teachers Association, the American Legion, the American Association of School Administrators, the National School Boards Association, the American Federation of Teachers, the Council of State School Officers, the National School Public Relations Association, the National Association of State Boards of Education, the National Association of Elementary School Principals and the National Association of Secondary School Principals; and

Whereas, American Education Week's theme, "The Future Begins in Today's Schools," accurately reflects the importance that must be placed upon education in the state as well as the nation; and

Whereas, the Champaign County Chamber of Commerce's Education Committee is holding a press conference on November 18, 1996, at Prairie School in Urbana;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 18-23, 1996, as AMERICAN EDUCATION WEEK in Illinois in honor of the national observance.

Issued by the Governor October 16, 1996.
Filed by the Secretary of State October 28, 1996.

96-561

CHARLES W. EARLE SCHOOL DAYS

Whereas, Charles W. Earle School has been an integral part of its community; and

Whereas, Charles W. Earle School has been instrumental in the education of many individuals; and

Whereas, Charles W. Earle School has given fond memories to its many graduates and present students; and

Whereas, Charles W. Earle School is celebrating its 100th anniversary with an open house and a gala event;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 18-26, 1996, as CHARLES W. EARLE SCHOOL DAYS in Illinois.

Issued by the Governor October 16, 1996.
Filed by the Secretary of State October 28, 1996.

96-562

CONGREGATION AM ECHOD DAY

Whereas, Congregation Am Echod in Waukegan began in 1896 when the Jewish community united as Echod "One People" and

Whereas, Congregation Am Echod has formed by friends who worshipped together, educated their young, aided and their life cycle events and helped each other toward economic independence; and

Whereas, Congregation Am Echod of Waukegan has continually been an important contributor to its community; and

Whereas, Congregation Am Echod will celebrate its 100th anniversary on November 17, 1996;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 17, 1996, as CONGREGATION AM ECHOD DAY in Illinois.

Issued by the Governor October 16, 1996.
Filed by the Secretary of State October 28, 1996.

96-563

DR. GARY L. FRANCE DAY

Whereas, the Lincoln Dental Society (LDS) was founded as the Lincoln Dental Club of Chicago in 1913 in order to address the concerns of African American dentists; and

Whereas, the purpose of LDS is to promote the public welfare by improvement and advancement of the art and science of dentistry and to foster mutual welfare among its members; and

Whereas, LDS is having its Inaugural Ball honoring newly elected LOS President, Dr. Gary L. France; and

Whereas, Dr. France is active in many professional organizations such as the American Dental Association, National Dental Association, California Dental Association, Illinois State Dental Association, Academy of Cosmetic Dentistry, Academy of General Dentistry and the Angel City Dental Society; and

Whereas, Dr. France is founder of the Robert P. Thyne Scholarship and the Flossie E. Thompson Grant, which provide financial assistance to dental students; and

Whereas, Dr. France has maintained his commitment and dedication to his patients as well as his profession for the last 15 years;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 25, 1996, as DR. GARY L. FRANCE DAY in Illinois.

Issued by the Governor October 16, 1996.
Filed by the Secretary of State October 28, 1996.

96-564

DRUG AWARENESS DAY

Whereas, substance abuse is a problem that ruins lives, families and businesses; and

Whereas, in order to combat this problem, education and awareness are vital; and

Whereas, the Elmhurst Chamber of Commerce has taken steps toward creating a drug-free workplace program in order to reduce health-care costs and increase productivity among businesses; and

Whereas, this sort of drug-free Workplace Program is important and beneficial for communities; and

Whereas, the Elmhurst Chamber of Commerce and Industry will hold its Annual Fall luncheon to address the need for the community to come together to focus on drug awareness on October 23, 1996;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 23, 1996, as DRUG AWARENESS DAY in Illinois.

Issued by the Governor October 16, 1996.
Filed by the Secretary of State October 28, 1996.

96-565

FUTURES AND OPTIONS WEEK

Whereas, the City of Chicago is the world leader in futures and options

trading; and

Whereas, Chicago was the birthplace of financial futures and options, which have helped to transform the global economy; and

Whereas, today, Chicago's futures and options exchanges are powerful engines of economic growth, attracting millions of dollars in capital to Illinois and providing thousands of jobs; and

Whereas, Chicago's futures and options exchanges contribute immeasurably to Illinois' reputation as a global financial center; and

Whereas, the Futures Industry Association, a professional group representing the futures and options industry, for the 12th consecutive year will hold its "Futures and Options Expo '96" in Chicago, Illinois, during the week of October 21, 1996;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 21-25, 1996, as FUTURES AND OPTIONS WEEK in Illinois.

Issued by the Governor October 16, 1996.
Filed by the Secretary of State October 28, 1996.

96-566

HERMAN POTTER DAY

Whereas, Herman Potter was born in South Ross Township on September 15, 1915; and

Whereas, Mr. Potter engaged in farming with his father after graduating from Henning High School in 1933, and later worked at the Danville Country Club and the Tuberculosis Hospital; and

Whereas, Herman Potter began farming for himself in 1943 and continued to do so for nearly 50 years; and

Whereas, Herman Potter has been active in his community, serving as the elected Supervisor of Blount Township since 1982 and he also served as Chairman of the Vermillion County Nursing Home for almost 10 years; and

Whereas, Herman Potter has served on the Vermillion County Board for 25 years in various capacities, including Chairman of Transportation, Committee on Committees, Vermillion Manor, and served as a member of numerous other committees; and

Whereas, Herman Potter will be honored with a retirement party on October 28, 1996;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 28, 1996, as HERMAN POTTER DAY in Illinois.

Issued by the Governor October 16, 1996.
Filed by the Secretary of State October 28, 1996.

96-567

PHI THETA KAPPA DAYS

Whereas, Phi Theta Kappa is the international honor society of two-year colleges; and

Whereas, Phi Theta Kappa will hold its 1996 Regional Convention at the College of DuPage in Glen Ellyn; and

Whereas, approximately 150 honor students and professors from all around the state will come together for cultural and educational purposes;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 25-27, 1996, as PHI THETA KAPPA DAYS in Illinois.

Issued by the Governor October 16, 1996.
Filed by the Secretary of State October 28, 1996.

96-568

ILLINOIS RIVER SYSTEM MANAGEMENT MONTH

Whereas, 1996 marks the 101st anniversary of the Illinois State Water Survey and the Steven Forbes Biological Research Station; and
Whereas, the Illinois State Water Survey and Steven Forbes Biological Research Station have made tremendous contributions toward understanding the ecosystem of the Illinois River over the last 100 years; and
Whereas, the creation of the Illinois Department of Natural Resources and the Illinois River Partnership, and the implementation of Conservation 2000 are important milestones in efforts to protect the resources of the Illinois River; and
Whereas, the 1996 Conference on the Management of the Illinois River System is October 8-9, 1996, at the Holiday Inn Centre in Peoria;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 1996 as ILLINOIS RIVER SYSTEM MANAGEMENT MONTH in Illinois and urge all citizens to recognize the economic, recreational, social and environmental responsibilities we have to conserve and properly utilize the resources of the Illinois River Basin.

Issued by the Governor October 16, 1996.

Filed by the Secretary of State October 28, 1996.

96-569

SNUG HUGS FOR KIDS DAYS

Whereas, Snug Hugs for Kids is an annual event designed to help underprivileged children obtain much-needed winter clothing and outerwear; and
Whereas, this effort has donated as much as 15,000 pounds of new coats, gloves, mittens, hats, scarves, and boots to these children through the Children's Home and Aid Society of Illinois, which serves more than 40,000 families in the Chicagoland area; and

Whereas, the Society provides adoption, foster care, day care, residential treatment, child and family counseling, research, and professional training programs in the Chicago area and four regions throughout Illinois; and
Whereas, Snug Hugs for Kids challenges employees and volunteers as well as community leaders to participate in this cause, thereby furthering the efforts to help those in need within our own communities; and

Whereas, drop boxes will be located at different locations throughout the Chicago area from November 1-December 10, 1996, in order for people to donate clothing;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 1-December 10, 1996, as SNUG HUGS FOR KIDS DAYS in Illinois.

Issued by the Governor October 16, 1996.

Filed by the Secretary of State October 28, 1996.

96-570

SPRINGFIELD ASSOCIATION OF REALTORS DAY

Whereas, in 1921, a group of 17 individuals founded an organization that

over the years has come to be known as the Springfield Association of REALTORS; and
Whereas, the intent of these founding members was to build a sound organized association of men and women that would reflect integrity, professionalism and competency and create a unified voice for real estate in the Springfield area; and
Whereas, the Springfield Association of REALTORS' for 75 years has maintained its commitment to the advancement of private property ownership and private property rights; and

Whereas, the Springfield Association of REALTORS', one of the first "REALTOR" Associations in Illinois to become a signatory to the Voluntary Affirmative Marketing Agreement (VAMA), has demonstrated a commitment to equal opportunity in housing; and
Whereas, each year, for the past 75 years, "REALTOR" members of the Springfield Association of REALTORS' has given back to the Springfield community through contributions of food and clothing to numerous social service agencies, Elijah Iles House Relocation efforts, "REALTOR" Watch program, Community Blood Bank, Habitat for Humanity, Big Brother/Big Sister and other worthwhile community projects; and

Whereas, the Springfield Association of "REALTORS" celebrates its 75th anniversary;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 26, 1996, as SPRINGFIELD ASSOCIATION OF REALTORS' DAY in Illinois.
Issued by the Governor October 16, 1996.

Filed by the Secretary of State October 28, 1996.

96-571

PAULINA ADAMS DAY

Whereas, Paulina Elizabeth Jackson was born on October 19, 1946, to Muriel and Herbert William Jackson; and
Whereas, Paulina graduated from Anderson High School in 1964; and

Whereas, Paulina Jackson was united in marriage with Charles Benson Adams on September 28, 1968; and

Whereas, Paulina Elizabeth Jackson Adams is the mother of Kenneth Jackson Adams and Elizabeth Lynne Adams; and

Whereas, Paulina teaches at Roosevelt and Fern Hill Elementary Schools; and

Whereas, Paulina will celebrate her 50th birthday on October 19, 1996;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 19, 1996, as PAULINA ADAMS DAY in Illinois.

Issued by the Governor October 17, 1996.

Filed by the Secretary of State October 28, 1996.

96-572

READ ILLINOIS MONTH

Whereas, Illinoisans everywhere should reflect on their State's proud literary heritage; and
Whereas, Illinois authors, such as Carl Sandburg, Ernest Hemingway, Edgar Lee Masters, Vachel Lindsay, and John Dos Passos, hold prominent places in America's literary history; and

Whereas, Illinois also boasts internationally recognized literary magazines and presses; and

Whereas, the Illinois Center for the Book was founded in 1985 and since then the Center has sponsored a variety of highly successful public programs that have stimulated interest in books and reading throughout Illinois; and

Whereas, the Illinois Authors Literary Dinner and Book Fair will be held on October 18-19, 1996;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 1996 as READ ILLINOIS MONTH in Illinois.

Issued by the Governor October 17, 1996.

Filed by the Secretary of State October 28, 1996.

96-573

RESIDENTIAL CONSTRUCTION EMPLOYERS COUNCIL DAY

Whereas, in 1966, George K. Newman, Robert Rosner, Joshua A. Muss and George Arculla, Jr. formed the Residential Construction Employers Council (RCCEC) to organize a new Carpenters Collective Bargaining Unit for the residential construction industry; and

Whereas, the RCCEC promotes managerial interests through a collective voice in determining wage rates and working conditions for the residential building industry; and

Whereas, the RCCEC promotes the residential building industry, particularly within Cook, Lake, DuPage, Will, Kendall, Kane and McHenry Counties in Illinois; and

Whereas, the RCCEC works directly with the Chicago and Northeast Illinois District Council of Carpenters to establish cooperation between home building contractors, subcontractors and the union in areas of mutual benefit; RCCEC also works with OSBA on issues affecting the home building industry; and

Whereas, the RCCEC established comprehensive programs for the benefit of its members and the industry at large including the RCCEC Risk Management Association of RCCEC, the RCCEC Safety Program, the University Scholarship Program, the Tuition Reimbursement Program, the University Intern Program, the Construction Management Certification Program, Home Mortgage Programs, Compensation and Benefits Survey, and topical seminars, as well as many other programs; and

Whereas, the RCCEC provides these services to Broker Builder Members and Employer Members who build the homes to shelter area families and to promote the stability of the construction industry for the betterment of Chicago and the surrounding communities; and

Whereas, the RCCEC is commemorating its 30th anniversary of labor relations and management services to the residential construction industry on October 30, 1996;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 30, 1996, as RESIDENTIAL CONSTRUCTION EMPLOYERS COUNCIL DAY in Illinois.

Issued by the Governor October 17, 1996.

Filed by the Secretary of State October 28, 1996.

96-574

COLONEL ROY M. HORSEMAN COMMEMORATED

Whereas, Colonel Roy M. Horseman retired from the United State Marine Corps in 1971; and

Whereas, Colonel Roy M. Horseman received an Honorable Discharge due to an injury in Vietnam; and

Whereas, Colonel Horseman's experience in the Marine Corps consisted of honorably serving four tours in Vietnam, one tour in Korea, Embassy School in Virginia and Drill Instruction School in San Diego; and

Whereas, Colonel Roy M. Horseman exchanged vows with Felicia Godoy LaFargo in the late 1960's;

Therefore, I, Jim Edgar, Governor of the State of Illinois, commend him for his years of service and dedication to his country.

Issued by the Governor October 21, 1996.

Filed by the Secretary of State October 28, 1996.

96-575

DR. DOROTHY S. STRONG DAY

Whereas, Dr. Dorothy Swarason Strong is the Regional Coordinator for the National Science Foundation's Urban Systemic Initiative; and

Whereas, Dr. Strong has been employed by the Chicago Public Schools for more than 38 years; and

Whereas, Dr. Strong is a nationally recognized authority on the teaching of mathematics in inner-city schools; and

Whereas, it is Dr. Strong's philosophy that all children can learn mathematics and that all teachers can teach mathematics; and

Whereas, Dr. Strong has been the Director/Manager of Mathematics Support for the Chicago Public Schools, a consultant, conference speaker, coordinator, and teacher; and

Whereas, Dr. Strong was instrumental in the movement towards the use of calculators as a tool in the instruction of mathematics around the country; and

Whereas, Dr. Strong has been the recipient of several awards and honors for her work in the field of mathematics in education; and

Whereas, Dr. Strong is the wife of a supportive husband, Joseph N. Strong, and the mother of a daughter, Dr. Joronda Crawford, who is the principal of Foster Park Elementary School in Chicago, Illinois;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 24, 1996, as DR. DOROTHY S. STRONG DAY in Illinois.

Issued by the Governor October 22, 1996.

Filed by the Secretary of State October 28, 1996.

96-576

DR. MILTON E. BOST PASTOR APPRECIATION DAY

Whereas, Dr. Milton E. Bost has faithfully served as Pastor of the Pasfield Southern Baptist Church (PSSC) in Springfield, Illinois, since May of 1986; and

Whereas, he has demonstrated his many talents over the years as pastor, preacher, teacher, vocalist, poet, humorist, construction worker, counselor, shepherd and friend; and

Whereas, he successfully led the PSSC through a building project completing a new sanctuary and educational wing, and upon finishing this endeavor, his work shoes for the project were enshrined in gold for posterity;

and Whereas, he and his wife, Marcia, are truly gifts sent to bless the PSBC, and they and their family are loved and appreciated more than words could ever express;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 27, 1996, as DR. MILTON E. BOST PASTOR APPRECIATION DAY at the Pasfield Southern Baptist Church in Springfield, Illinois.

Issued by the Governor October 22, 1996.

Filed by the Secretary of State October 28, 1996.

96-577

FAMILY WEEK

"There's no vocabulary

For love within a family, love that's lived in
But not looked at, love within the light of which

All else is seen, the love within which

All other love finds speech.

This love is silent."

T.S. Eliot,

The Elder Statesman, 1958

Whereas, the family is the entity that nurtures the values which have made America great. The bonds of familial love are the foundation of our nation's strength; and

Whereas, the trust, duty, respect, and cooperation that are a way of life for family members are traits that reinforce the fabric and function of all societal units from the neighborhood to the nation. The acceptance of each individual family member's uniqueness, teamed with simultaneous, unified strides to improve gives momentum to our progress as a nation; and

Whereas, appropriately placed with the traditional week of Thanksgiving, National Family Week is a period of thanks for all the contributions the family has made to our country;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 24-30, 1996, as FAMILY WEEK in Illinois in conjunction with the national observance.

Issued by the Governor October 22, 1996.

Filed by the Secretary of State October 29, 1996.

96-578

ROBERT G. ARNETT

Whereas, Robert G. Arnett was born October 30, 1936, in Carlinville, Illinois; and

Whereas, Robert enlisted in the United States Air Force in 1956 and worked in the radar operations career field until 1959; and

Whereas, he resumed his military career in 1963 when he joined the 932nd Troop Carrier Group, USAF, headquartered at Scott Air Force Base in Belleville, Illinois, as a mission tracking specialist; and

Whereas, in 1965, Robert was transferred to the 183rd Tactical Fighter Group at the Illinois National Guard in Springfield, Illinois, specializing in base operations; and

Whereas, in 1994, he was transferred to headquarters at the Illinois National Guard and named Chief of Public Affairs; and

Whereas, Robert G. Arnett has provided dedication and devotion to duty reflecting his allegiance to the highest standards of the military profession;

Therefore, I, Jim Edgar, Governor of the State of Illinois, honor Robert G. Arnett in appreciation for 40 years of service to the United States Air Force, the Air National Guard and Illinois.

Issued by the Governor October 22, 1996.

Filed by the Secretary of State October 28, 1996.

96-579

WILL COUNTY BOARD OF HEALTH CONGRATULATED

"Really believe in your heart of hearts that your fundamental purpose, your reason for being, is to enlarge the lives of others. Your life will be enlarged also. And all of the other things we have been taught to concentrate on will take care of themselves."

--Pete Thigpen, quoted in *Credibility*
by James M. Kouzes and Barry Z. Posner

Whereas, the Will County Board of Health provides effective leadership for the citizens of Will County through its oversight of the activities of the Will County Health Department; and

Whereas, through its actions, the Will County Board of Health promotes the core public health functions of assessment, policy development, and assurance; and

Whereas, the effectiveness of the public health strategies and tactics developed by the Will Board of Health have a direct and positive impact on the citizens of Will County in areas such as decreased infant mortality, increased levels of childhood immunization, low levels of food-borne illness, and generally healthier population; and

Whereas, the Will County Board of Health has addressed the health care access dilemma by forming community partnerships and spearheading the construction of a 5,000 square foot community health center and clinic, the crowning achievement for the agency's 30th year of distinguished service; and

Whereas, through the success of its activities, the Will County Board of Health has enlarged the lives of its residents which it serves; and

Whereas, the Will County Board of Health is celebrating its 50th anniversary with a reception held today, October 23, 1996;

Therefore, I, Jim Edgar, Governor of the State of Illinois, do congratulate the members of the Will County Board of Health, the administrators and staff of the Will County Health Department, and the citizens of Will County on the occasion of this important anniversary, and wish them the best of success in all future endeavors.

Issued by the Governor October 22, 1996.

Filed by the Secretary of State October 28, 1996.

96-580

MAHOMET-SEYMOUR HIGH SCHOOL CONCERT CHOIR COMMEMORATED

Whereas, the Mahomet-Seymour High School Concert Choir has a distinguished reputation in the field of music; and

Whereas, the members of the Mahomet-Seymour High School Concert Choir are devoted to the musical field and spend many hours practicing; and
Whereas, the Mahomet-Seymour High School Concert Choir has been selected to participate in the prestigious 1997 Austrian Invitational International Music Festival, where members will represent the State of Illinois in Vienna, Salzburg, Graz and Innsbruck;

Therefore, I, Jim Edgar, Governor of the State of Illinois, commend the Mahomet-Seymour High School Concert Choir for their hard work and dedication.
Issued by the Governor October 23, 1996.
Filed by the Secretary of State October 28, 1996.

96-581

UNITED HELLENIC AMERICAN CONGRESS DAY

Whereas, November 16, 1996, marks the 21st anniversary dinner dance of the United Hellenic American Congress; and
Whereas, the United Hellenic American Congress was founded in 1975 to serve as the umbrella and unifying organization for Hellenic Americans; and
Whereas, the organization functions on local, regional and national levels to promote Greek heritage and culture, enhance relations between Greece and the United States, and improve communications and unity between Hellenic Americans and the United States;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 16, 1996, as UNITED HELLENIC AMERICAN CONGRESS DAY in Illinois and commend John Stamos for the talent and dedication that he has provided for his audiences and the entertainment industry.

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 16, 1996, as UNITED HELLENIC AMERICAN CONGRESS DAY in Illinois and commend John Stamos for the talent and dedication that he has provided for his audiences and the entertainment industry.
Issued by the Governor October 23, 1996.
Filed by the Secretary of State October 28, 1996.

Rules acted upon during the quarter of October 1 through December 31, 1996 are listed in the Issues Index by Title number, Part number and Issue number. For example, 50 Ill. Adm. Code 4401 published in Issue 40 will be listed as 50-4401-40. Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-4414 or jed@state.il.us (Internet address).

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